

Join us! In an effort to enhance meetings post COVID-19 emergency orders, the City Council invites you to join and/or participate in a variety of ways: Via computer Zoom meetings (no app is necessary), telephone, email and/or text! See details on page 3.

**Vestavia Hills
City Council Agenda
AMENDED
December 12, 2022
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Tom Bell, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. City Manager’s Report
8. Councilors’ Reports
9. Approval Of Minutes – November 21, 2022 (Work Session) and November 28, 2022 (Regular Meeting)

Old Business

New Business

10. Resolution Number 5427 - A Resolution Declaring Certain Personal Property As Surplus And Authorizing The City Manager To Sell/Dispose Of Said Property
11. Ordinance Number 3139 – An Ordinance Authorizing And Directing The Conveyance By The City Of Vestavia Hills, Alabama Of The Real Estate And Improvements Situated At 1973 Merryvale Road In The City Of Vestavia Hills, Alabama, Commonly Referred To As “The Old Community Civic Center” (As More Particularly Described Below) To The Board Of Education Of The City Of Vestavia Hills, Alabama

New Business Requesting Unanimous Consent)

12. Public Hearing – Resolution Number 5433 - A Resolution Authorizing The City Manager To Issue A Refund To The State Of Alabama For An Erroneous Tax Sale

First Reading (No Action To Be Taken At This Meeting)

13. Public Hearing – Ordinance Number 3137 – Rezoning – 3419 Ronlea Circle; Rezone From Vestavia Hills Agriculture To Vestavia Hills R-2 To Combine Parcels To Include Into Two Residential Lots; Gladys Bailey, Owners
14. Public Hearing – Resolution Number 5425 – A Resolution authorizing the installation of a new support structure for a small cell facility to be located in the right-of-way adjacent to: (1) 1445 Linda Vista Lane, (2) 2604 Kingwood Road, (3) 2733 Southview Drive, (4) 1829 Forest Haven Lane, and (5) 2857 Vestavia Forest Drive
15. Public Hearing – Resolution Number 5426 – A Resolution Approving The Dedication Of Streets In Helen Ridge; Helen Ridge Drive And Helen Ridge Circle
16. Public Hearing – Ordinance Number 3138 - An Ordinance To Approve A 3-Year Bid For Street Resurfacing And Repair For The City Of Vestavia Hills
17. Public Hearing – Resolution Number 5428 – Annexation – 90 Day – 2608 Rillwood Road; Lot 9, Altadena Park, Andrew and Marie Davis, Owner(s)
18. Public Hearing – Ordinance Number 3140 – Annexation – Overnight – 2608 Rillwood Road; Lot 9, Altadena Park, Andrew and Marie Davis, Owner(s)
19. Public Hearing – Resolution Number 5429 – Annexation – 90 Day – 2594 Acton Road; Lot 2, Altadena Valley Country Club, Al and Patricia Foster, Owner(s)
20. Public Hearing – Ordinance Number 3141 – Annexation – Overnight – 2594 Acton Road; Lot 2, Altadena Valley Country Club, Al and Patricia Foster, Owner(s)
21. Public Hearing – Resolution Number 5430 – Annexation – 90 Day – 2401 Rocky Ridge Road; Lot 9, Buckhead, 1st Sector, Charles Kessler, Owner(s)
22. Public Hearing – Ordinance Number 3142 – Annexation – Overnight – 2401 Rocky Ridge Road; Lot 9, Buckhead, 1st Sector, Charles Kessler, Owner(s)
23. Public Hearing – Resolution Number 5431 – Annexation – 90 Day – 2565 Rocky Ridge Road, Grace Covenant Baptist Church; R. O Hughes, Representing
24. Public Hearing – Ordinance Number 3143 – Annexation – Overnight – 2565 Rocky Ridge Road, Grace Covenant Baptist Church; R. O Hughes, Representing
25. Public Hearing – Resolution Number 5432 – Annexation – 90 Day – 1420 Branchwater Circle; Leon R. Gorman, Jr., Owner(s)
26. Public Hearing – Ordinance Number 3144 – Annexation – Overnight – 1420 Branchwater Circle; Leon R. Gorman, Jr. Owner(s)
27. Citizens Comments
28. Executive Session – Possible Purchase/Sale Of Real Estate And Expected/Pending Litigation
29. Time Of Adjournment

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

Due to the COVID-19 safety advice given by the ADPH, the City Council work sessions and meetings are available via video-conference and teleconference. If you choose not to attend in person, you may still participate. Following are instructions for three options to participate remotely.

COMPUTER PARTICIPATION (view/participate in real time)

To participate in by videoconference, click <https://us02web.zoom.us/j/5539517181>. When the Zoom.us window opens in your browser, click “Allow” so that the page may open to a waiting room. The host will open the meeting and bring all into the meeting room at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the “Raise Hand” feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council.

Using the icons on the Zoom screen, you can:

- Mute/unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- View Participants – opens a pop-out screen that includes the “Raise Hand” icon that you may use to raise a virtual hand
- Change your screen name displayed in the participant list and video window
- Toggle between “speaker” and “gallery” views – “Speaker view” shows the active speaker; “Gallery view” tiles all of the meeting participants

TELEPHONE PARTICIPATION (view/participate in real time)

To participate by telephone, dial 312.626.6799 and enter the meeting ID: 455 534 3275. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, press *6 on your phone keypad to unmute yourself. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

TEXT AND/OR EMAIL (prior to the meeting or in real time)

If you do not wish to join the meeting but would like to ask a question or make a statement regarding an item on the agenda, you may email the City Council directly at City.Council@vhal.org. You may also text your question/statement to City Council at 205.517.1370. Both of these options are available prior to and during each work session and meeting. Be sure to provide your name and address for the record and your comments will be recited to the City Council as the corresponding item is being addressed. Note: As a matter of record, your name and address are required. If identification is not provided, your comment/question will not be presented.

Zoom meetings may be recorded. By participating in the meeting, you are consenting to be recorded. Zoom-bombing is a cyber-crime and is punishable by law. In the event of an attendee intruding into any City of Vestavia Hills Zoom meeting, the online broadcast will be ended immediately. Council and/or board members may be readmitted but online attendees will not. Although Zoom-bombing is not a frequent occurrence, those wishing to make public comment should attend the meeting in person.

**CITY OF VESTAVIA HILLS
CITY COUNCIL
WORK SESSION
NOVEMBER 21, 2022**

The City Council met in special work session on this date beginning at 5 PM following posting/publication as required by Alabama law. The Mayor called the work session to order and the clerk checked the roll:

MEMBERS PRESENT: Ashley C. Curry, Mayor
Kimberly Cook, Councilor
Paul Head, Councilor
George Pierce, Councilor

MEMBERS ABSENT: Rusty Weaver, Mayor Pro-Tem

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager
Patrick Boone, City Attorney
Cinnamon McCulley, Asst. City Manager
Rebecca Leavings, City Clerk
Marvin Green, Fire Chief
Shane Ware, Police Captain
Jack Wakefield, Planner/GIS
Umang Patel, Court Director*

BOARD APPOINTMENTS

Mayor Curry indicated that Mr. Boone has assembled information concerning the appointment of members of various city boards, employees, etc.

Mr. Boone stated that the City of Vestavia Hills changed to a Council-Manager form of government in November 2012 which affected the appointment of some boards. He explained that he has broken down the statute for each appointment and the City Ordinance for each board and that he'd like to just briefly review at least three of the Boards.

Librarian. The Library Board "may" appoint the Librarian. He stated that has never happened in the City.

Park Board – The Park Board "may" appoint the director. He stated that up to now, that has also never occurred.

He explained these two appointments are a bit out of the ordinary, but he sees no compelling reason to change the current policy/ordinance.

Mr. Boone stated that the appointment of a BZA member was the catalyst for this updated appointment book. The Code is silent as to who actually makes that appointment says that the Council shall establish a procedure. He stated under the old form of government, it fell to the Mayor but this new form of government, this no longer holds true. He stated that the Council should make the board appointment to the BZA.

Mr. Boone highlighted the other various boards and the appointing authority.

- Park Board appointment by the Council with Mayor as ex-officio.
- Design Review is nominated by the Mayor and appointed by the City Council.
- Planning and Zoning members are appointed by the Mayor.

Mr. Boone stated that the Council can create boards that aren't spelled out in the statute and the DRB is one of those.

Discussion ensued relative to the Beautification Board. Mayor Curry stated that they do many duties including the Belles. Also, that the City Manager is appointed by the Council and works pursuant to agreement. Discussion followed and Mr. Boone pointed out that the new form of government was approved by the people through a referendum vote.

The Mayor stated that he likes to rely on the liaison for the board concerning appointment or re-appointment of a member. He stated that these are the individuals who are actually in these meetings, and they know more than anyone.

Mrs. Cook stated that, as a practical matter, it is helpful if the Council is given information on mayoral recommendations at least two weeks in advance of an appointment to allow council members to do their own research on potential appointments.

Mrs. Cook commented that the Council had *not* been appointing BZA and DRB, and Mr. Boone's information shows that this was incorrect.

Mr. Pierce stated he feels it is best to get board member input as well.

The Mayor and Council thanked Mr. Boone for updating the appointment information.

Mr. Pierce announced that the Chamber Board met in their new offices. He stated that they are working on a member survey to get input from various members and he would like to compare those responses to the city's survey responses.

There being no further business, Mrs. Cook made the motion to adjourn. The Work Session adjourned at 5:24 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

NOVEMBER 28, 2022

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. A number of staff and members of the general public also attended virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order. The City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul Head, Councilor
George Pierce, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick H. Boone, City Attorney
Cinnamon McCulley, Asst. City Manager
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Melvin Turner, Finance Director
Marvin Green, Fire Chief*
Taneisha Tucker, Library Director
Christopher Brady, City Engineer
Umang Patel, Court Director*

**present virtually via Zoom or telephone*

Tom Bryson, Vestavia Hills Chaplain, led the invocation, followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The Mayor opened the floor for a motion to approve the agenda.

MOTION Motion to approve the agenda as presented was made by Mr. Weaver and seconded by Mr. Pierce. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- Mayor Curry recognized Mike Shaw, the newly elected State House representative for District 47.
- Mr. Pierce recognized Taylor Burton, member of the Chamber Board, attending on behalf of the Chamber of Commerce.
- Mr. Weaver recognized his son, Michael Weaver, who is a junior at Samford University and is in attendance for a City government project.
- Mayor Curry announced that the tree lighting is scheduled for tomorrow and, if weather does not permit it outside, the lighting will occur on the tree inside the Civic Center.

CITY MANAGER'S REPORT

- Mr. Downes highlighted the results of the City's citizen survey which is released every two years and is used extensively during the strategic sessions. He showed selected slides which showed that the overall quality of services and image of the City are high compared to national standards.
- Mr. Downes updated the Council on various projects in the City including Community Spaces. He stated that there are some challenges to finishing projects. There are only two left in Community Spaces: (1) Crosshaven Drive and (2) Wald Park Phase III. He stated that the City has finished its portion of Crosshaven Drive with the exception of some punch list items. He added that the City is working to ensure that the County continues their part of the project which is at the intersection of Green Valley and Crosshaven. He stated they are working toward getting a final completion date from them. He stated that on Phase III of Wald Park they are waiting on some retaining walls which should arrive soon. He stated he will be reporting on this project frequently.
 - Mrs. Cook asked if there is an expected date of completion for Crosshaven Drive? Mr. Downes explained that the date he has been utilizing is late March/early April 2023 based upon previous conversations.
 - Mrs. Cook asked if the County has hired a person for utility relocations? Mr. Downes stated that they have recently hired a second deputy director who will be assuming this role and he hopes this will be a positive thing for future projects.
- Mr. Pierce asked if the communication has begun to advise landscapers not to blow debris into the storm sewers. Mr. Downes explained the steps that have been taken so far and will be taken in the future.

COUNCILOR REPORTS

- Mrs. Cook stated that she attended the Board of Education earlier this afternoon. She stated that they recognized the Men's Cross-Country team that finished first in the state which is a notable accomplishment. She added that they heard a presentation regarding the fine arts component of the 1Rebel 1Future Plan. A community meeting is being held at Liberty Park Middle School tonight.

- Mrs. Cook stated that Hoover will be having a public hearing on the operation of medical cannabis dispensing sites on December 5 and she wanted to let the Council and public know what is being discussed. She stated that she is watching the topic closely and has concerns about sister cities allowing these dispensaries.

FINANCIAL REPORTS

Mr. Turner presented the financial reports for month ending October 2022. He read and explained the reports.

Mrs. Cook ask about the decrease in ad valorem from last year's collections.

Mr. Turner explained that Jefferson County just needs to release the funds.

Mr. Pierce pointed out that new appraisals were done this year and it is likely more are protesting the increase in taxes.

APPROVAL OF MINUTES

The Mayor stated that the approval of the minutes November 14, 2022 (Regular Meeting) are open for approval. He asked for a motion:

MOTION: Motion to approve the minutes of the November 14, 2022 (Regular Meeting) was made by Mrs. Cook and seconded by Mr. Weaver. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – abstained
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

OLD BUSINESS

ORDINANCE NUMBER 3135

Public Hearing – Ordinance Number 3135 – Conditional Use Approval For A Dog Grooming Business For The Property Located At 1401 Montgomery Highway; Patrick Crabtree, Property Owner, Stephanie Hazen, Business Owner

MOTION Motion to approve Ordinance Number 3135 was made by Mr. Weaver and seconded by Mr. Pierce.

Mr. Weaver reported that this request came to the P&Z Commission at the October meeting. He indicated it was recommended to be approved as presented as all criteria for a

Conditional use was met. This is a grooming service by appointment only with no boarding allowed.

Stephanie Hazen was present in regard to this request. She indicated that she has been grooming dogs for years and is very experienced in her business with no noise to disturb anyone outside the building.

Mr. Pierce asked if she checks on vaccination records.

Ms. Hazen stated she requires that all animals have confirmation of vaccinations.

The Mayor opened the floor for a public hearing. There being no one further to address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

ORDINANCE NUMBER 3136

Public Hearing – Ordinance Number 3136 – An Ordinance Authorizing The Mayor And City Manager To Purchase Customize Software From OpenGov For Planning And Budgeting And Authorizing The Mayor And City Manager To Execute And Deliver Any Documents Necessary To Secure And Implement Said Software

MOTION Motion to approve Ordinance Number 3136 was made by Mr. Weaver and seconded by Mrs. Cook.

Mr. Downes stated that this software is needed for accounting purposes.

The Mayor opened the floor for a public hearing. There being no one further to address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

NEW BUSINESS

RESOLUTION NUMBER 5423

Resolution Number 5423 – Appointing A Member To The Vestavia Hills Parks And Recreation Board

MOTION Motion to approve Resolution Number 5423 was made by Mrs. Cook and seconded by Mr. Pierce.

MOTION Motion to amend the Resolution to include the name of Chad Gay for the appointment was made by Mr. Head and seconded by Mr. Weaver. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

There being no one further to address the Council, the Mayor called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

RESOLUTION NUMBER 5424

Resolution Number 5424 – Appointing Members To The Vestavia Hills Library Board

The Mayor passed the gavel to Mr. Weaver.

MOTION Motion to approve Resolution Number 5423 was made by Mrs. Cook and seconded by Mr. Pierce.

MOTION Motion to amend the Resolution to include the names of April Jackson MacLennan and Susan Swagler for the appointments was made by Mayor Curry and seconded by Mr. Weaver. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

There being no one further to address the Council, the Mayor called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

- Public Hearing – Ordinance Number 3127 – Rezoning – 3419 Ronlea Circle; Rezone From Vestavia Hills Agriculture To Vestavia Hills R-2 To Combine Parcels To Include Into Two Residential Lots; Gladys Bailey, Owners

Mr. Weaver passed the gavel back to the Mayor.

CITIZEN COMMENTS

Mayor Curry announced upcoming vacancies for the Design Review Board. He indicated a few vacancies are coming up on that Board and that December 5, 2022, at 5 PM, is the deadline for anyone interested in that Board to apply.

Phil Brody 2512 Shades Crest Road, stated he has heard there will be meetings coming soon concerning drainage. Mr. Downes explained and referred him to speak to the City Engineer Christopher Brady.

Danny Barrett, Shallowford Circle, thanked Public Works Director Brian Davis and stated that Mr. Davis set up a timely meeting to discuss the flooding of his area and, today, he had surveyors marking rights-of-way that belong to the City. He stated that he will meet with Mr. Brady soon. He also thanked the VHPD for helping to resolve some recent issues.

At 6:36 PM, Mrs. Cook made a motion to adjourn. The meeting adjourned at 6:37 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5427

**A RESOLUTION DETERMINING THAT CERTAIN
PERSONAL PROPERTY IS NOT NEEDED FOR
PUBLIC OR MUNICIPAL PURPOSES AND
DIRECTING THE SALE/DISPOSAL OF SAID
SURPLUS PROPERTY**

WITNESSETH THESE RECITALS

WHEREAS, the City of Vestavia Hills, Alabama, is the owner of personal property detailed in the attached “Exhibit A”; and

WHEREAS, the City has determined that it would be in the best public interest to sell or dispose of said property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:**

1. The City Manager is hereby authorized to sell or dispose of the above-referenced surplus personal property; and
2. This Resolution Number 5427 shall become effective immediately upon adoption and approval.

DONE, ORDERED, APPROVED and ADOPTED on this the 12th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



VESTAVIA HILLS FIRE DEPARTMENT

MEMORANDUM

TO: Chief Green
FROM: Scott Ferrell
DATE: 11/28/2022
RE: Surplus of LP15

We request the following property to be deemed surplus due to it being at the end of its service life:

- Lifepak 15 (SN – 39897047), manufactured in 2011, currently assigned to a reserve rescue truck at station 3. The Lifepak 15 is a cardiac monitor/defibrillator used on all basic and advanced life support incidents.

The manufacturer will grant trade in credit for a new Lifepak 15 that is budgeted in the 2022-2023 fiscal year budget.

ORDINANCE NUMBER 3139

AN ORDINANCE AUTHORIZING AND DIRECTING THE CONVEYANCE BY THE CITY OF VESTAVIA HILLS, ALABAMA OF THE REAL ESTATE AND IMPROVEMENTS SITUATED AT 1973 MERRYVALE ROAD IN THE CITY OF VESTAVIA HILLS, ALABAMA, COMMONLY REFERRED TO AS “THE OLD COMMUNITY CIVIC CENTER” (AS MORE PARTICULARLY DESCRIBED BELOW) TO THE BOARD OF EDUCATION OF THE CITY OF VESTAVIA HILLS, ALABAMA.

THIS ORDINANCE NUMBER 3139 is approved and adopted by the City Council of the City of Vestavia Hills, Alabama on this the 12th day of December, 2022.

WITNESSETH THESE RECITALS:

WHEREAS, on December 29, 1960, the City of Vestavia Hills, Alabama, a municipal corporation, (“City”) purchased an unimproved parcel of real estate consisting of approximately 31.7± acres, which was ultimately named “Wald Park property” by virtue of the deed filed in the office of the Judge of Probate of Jefferson County, Alabama on April 10, 1961 and recorded at Deed 6590, Page 182; and

WHEREAS, the deed contained certain restrictive covenants that limited the use of the Wald Park property to a public park, a park community center, a civic center, a library building, a museum and similar municipal buildings for a period of fifty (50) years; and

WHEREAS, the City has heretofore used the Wald Park property for public park and recreational purposes, specifically including, but not limited to, athletic fields and facilities, swimming pool, public community civic center, public library, office for the Vestavia Hills Chamber of Commerce and other public park and recreational purposes; and

WHEREAS, approximately 2.27± acres of the Wald Park property were not conducive for park and recreational purposes simply because of the topography, location and size and was used by the City for the operation of a City Shop and Public Works facility; and

WHEREAS, the Board of Education of the City of Vestavia Hills, Alabama (“Board”) was established by the City on April 30, 1970 upon the approval and adoption of Resolution Number 285 on that date; and

WHEREAS, in 1975, the Board, because of increased enrollment, needed to build a new elementary school, but had no property to build on and lacked funds to buy the required property; and

WHEREAS, Edna Wald and Mildred Wald signed a document on April 13, 1976 entitled “Partial Release and Amendment to Restrictive Covenant,” which was filed in the office of the Judge of Probate of Jefferson County, Alabama on April 20, 1976 and recorded at Real 1289, Page 222, which said document released the restrictive covenants to the extent necessary to allow a school to be built on a portion (3.71± acres) of the Wald Park property; and

WHEREAS, on May 17, 1976, the City conveyed to the Board a part of the Wald Park property consisting of approximately 3.71± acres by virtue of that certain deed filed in the office of the Judge of Probate of Jefferson County, Alabama on May 26, 1976 and recorded at Real 1303, Page 369; and

WHEREAS, the Board built West Elementary School on the 3.71± acre site and has operated the school thereon since completion of the construction; and

WHEREAS, the restrictive covenants limiting the use of the Wald Park property for a period of fifty (50) years expired on to-wit, April 10, 2011; and

WHEREAS, in early 2016, the City vacated the 2.27± acre parcel and moved its City Shop and Public Works Department to another location; and

WHEREAS, the City had the 2.27± acre parcel resurveyed into:

Lot A and Lot B according to the Survey of Wald Park Survey No. 1, as recorded in Map Book 249, Page 28, in the Probate Office of Jefferson County, Alabama; and

WHEREAS, on May 31, 2017, the City purchased from Store Capital Acquisitions, LLC, by virtue of that certain Special Warranty Deed filed in the office of the Judge of Probate of Jefferson County, Alabama on June 8, 2017 and recorded at Instrument #2017057813, Pages 1-5, the real estate situated at 1090 Montgomery Highway (commonly referred to as the “Gold’s Gym” property) next door to the Vestavia Hills Municipal Center, which said property is more particularly described as follows:

Parcel I: Lot 2 and Lot 3, according to the Survey of CVS Vestavia, as recorded in Map Book 213, Page 31, in the Probate Office of Jefferson County, Alabama.

Parcel II: A nonexclusive easement for ingress and egress as set out in the Access Easement Agreement as recorded in Instrument No. 200408/8594 and assigned by Instrument No. 200602/6382; and A perpetual easement for the construction and maintenance of a sign as set out in the agreement recorded in Instrument No. 200408/8593 and assigned by Instrument No. 200602/6381; and

WHEREAS, the City purchased the above-described Gold's Gym property for the purpose of developing and constructing a new Vestavia Hills Civic Center consisting of approximately one hundred thousand (100,000) square feet of space for public use by the citizens; and

WHEREAS, the City sold Lot A and Lot B according to the Survey of Wald Park Survey No. 1, as recorded in Map Book 249, Page 28, to HCI Vestavia I, LLC by virtue of those Statutory Warranty Deeds dated January 31, 2019, filed in the office of the Judge of Probate of Jefferson County, Alabama on February 1, 2019 and recorded at Instrument #2019009120, Pages 1-9 (Lot A) and Instrument #2019009124, Pages 1-9 (Lot B); and

WHEREAS, Lot A and Lot B as described above have been developed for commercial purposes; and

WHEREAS, on February 4, 2019, the City Manager of the City and the Superintendent of the Board recommended a *Memorandum of Understanding for Shared Facility Use, Land Planning and Funding Between the City and the Board* (MOU); and

WHEREAS, on February 25, 2019, the City Council approved and adopted Ordinance Number 2829, which authorized and directed the execution and delivery of the MOU by and between the City and Board; and

WHEREAS, on February 25, 2019, the Board approved and adopted a resolution, which authorized and directed the execution and delivery of the MOU by and between the City and the Board; and

WHEREAS, the City and Board engaged Arrington Engineering to resurvey the Wald Park property on November 16, 2020; and

WHEREAS, the Wald Park Survey No. 2 was filed in the office of the Judge of Probate on December 22, 2020 and recorded at Instrument #2020146003, Book 254, Page 44; and

WHEREAS, a copy of said Resurvey is attached hereto, marked as Exhibit 1 and is incorporated into this Ordinance Number 3139 by reference as though set out fully herein; and

WHEREAS, the lots in the Wald Park Survey No. 2 filed in the office of the Judge of Probate of Jefferson County, Alabama on December 22, 2020 and recorded at Instrument #2020146003, BK: 254, Page 44, are owned and presently used as follows:

<u>Lot No.</u>	<u>Owner</u>	<u>Acreage</u>	<u>Use</u>
1	City	20.89	Park and Athletic Facilities

2	City	7.13	Park and Athletic Facilities
3	City	4.60	Old Community Civic Center
4	Board	3.71	West Elementary School; and

WHEREAS, the development and construction of the new Vestavia Hills Civic Center has been completed and an Open House was held on November 29, 2022 with the facility scheduled to have a ribbon cutting ceremony and be open for public use shortly after January 1, 2023; and

WHEREAS, the legal description of the Old Community Civic Center is:

Lot 3 in Wald Park Survey No. 2 filed in the office of the Judge of Probate of Jefferson County, Alabama on December 22, 2020 and recorded at Instrument #2020146003, Bk: 254, Page 44; and

WHEREAS, the City has no public need for the Old Community Civic Center now that the new Civic Center facility has been completed; and

WHEREAS, the Board does have a public need for the Old Community Civic Center; and

WHEREAS, the City finds and determines that it will promote the general health, prosperity and welfare of the citizens of the City of Vestavia Hills by conveying title to the Old Community Civic Center property to the Board for public use; and

WHEREAS, the conveyance of the Old Community Civic Center property by the City to the Board will be consistent with the MOU approved by both the City and the Board on February 25, 2019; and

WHEREAS, the City finds and determines that it is in the public interest and a public purpose to donate the Old Community Civic Center property to the Board; and

WHEREAS, Title 11-47-20, *Code of Alabama, 1975*, provides in words and figures as follows:

“§11-47-20. Unneeded real property; disposition. The governing body of any city or town in this state may, by ordinance to be entered on its minutes, direct the disposal of any real property not needed for public or municipal purposes and direct the mayor to make title thereto, and a conveyance made by the mayor in accordance with such ordinance invests the grantee with the title of the municipality”; and

WHEREAS, the City Council, by the approval and adoption of this Ordinance Number 3139 in compliance with Title 11-47-20, *Code of Alabama, 1975*, finds and determines that the Old Community Civic Center property (Lot 3) is no longer needed by the City for public or municipal purposes and that it furthers the public interest and welfare for the City to convey by gift said property to the Board by the execution and delivery of a Statutory Warranty Deed, a copy of which is attached hereto, marked as Exhibit 2 and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The recitals set forth in the premises above are hereby incorporated into this ordinance by reference as though set out fully herein.
2. The following Exhibits are attached hereto and incorporated into this Ordinance Number 3139 by reference as though set out fully herein:

<u>Exhibit Number</u>	<u>Description</u>
Exhibit 1	Resurvey
Exhibit 2	Statutory Warranty Deed

3. The City Council of the City of Vestavia Hills, Alabama finds and determines that the property commonly referred to as the “Old Community Civic Center” property and more particularly described as Lot 3 in Wald Park Survey No. 2 filed in the office of the Judge of Probate of Jefferson County, Alabama on December 22, 2020 and recorded at Instrument #2020146003, Bk: 254, Page 44, is no longer needed for public or municipal purposes as required by Title 11-47-20, *Code of Alabama, 1975*.

4. The City Manager and Mayor are hereby authorized and directed to execute and deliver the Statutory Warranty Deed (Exhibit 2) conveying the property described in section 3 above, to the Board of Education of the City of Vestavia Hills, Alabama and to take any and all other actions necessary to complete the conveyance as aforesaid.

5. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

6. The article and section headings and captions contained herein are included for convenience only, and shall not be considered a part hereof or affect in any manner the construction or interpretation hereof.

7. The provisions of this Ordinance Number 3139 shall become effective immediately upon the passage, approval and adoption thereof by the City Council of the City of Vestavia Hills, Alabama and the publication and/or posting thereof as required by Alabama law.

ORDAINED, APPROVED, ADOPTED, DONE and ORDERED on this the 12th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3139 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 19th day of December, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705
215 RICHARD ARRINGTON, JR. BOULEVARD NORTH
BIRMINGHAM, ALABAMA 35203-3720

TELEPHONE (205) 324-2018

FACSIMILE (205) 324-2295

E-Mail: patrickboone@bellsouth.net

December 9, 2022

By Electronic Mail

City Clerk Rebecca Leavings
Vestavia Hills Municipal Center
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

In Re: Ordinance Number 3139
City Conveyance of Old Community Civic Center to Board

Dear Becky:

On February 25, 2019, the City (by Ordinance Number 2829) and the Board (by resolution) approved and adopted a Memorandum of Understanding for Shared Facility Use, Land Planning and Funding between the City and the Board (MOU). Among other things, the MOU provides that the City shall convey to the Board the Old Community Civic Center property.

Consistent with the MOU, I have prepared and forward you Ordinance Number 3139, including Exhibit 1 (Resurvey) and Exhibit 2 (Statutory Warranty Deed). The City Council approved Ordinance Number 2829 on February 25, 2019, which authorized and directed the conveyance. Therefore, I assume that the matter will appear on Monday's agenda for unanimous consent for immediate consideration.

In anticipation of that action, I have dated the Ordinance and Statutory Warranty Deed on December 12, 2022. If Mayor Ashley C. Curry and City Manager Jeffrey D. Downes sign the Statutory Warranty Deed following the meeting next Monday, then in such event I will file the deed for record on Tuesday morning, December 13, 2022. Gail is sending you the ordinance and Statutory Warranty Deed in "Word" format.

Please call me if you have any questions.

Sincerely,



Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp

Enclosures

cc: City Manager Jeffrey D. Downes (by e-mail)

SEND TAX NOTICE TO:

The Board of Education of the
City of Vestavia Hills, Alabama
1204 Montgomery Highway
Vestavia Hills, Alabama 35216

Note: The real property described in this deed is exempted from all ad valorem taxes by virtue of Amendment 373(k) of the *Constitution of Alabama* and Title 40-9-1, *Code of Alabama, 1975*

This instrument was prepared by:
Patrick H. Boone, Attorney at Law
705 New South Federal Savings Building
215 Richard Arrington, Jr. Boulevard North
Birmingham, Alabama 35203-3720

STATE OF ALABAMA

JEFFERSON COUNTY

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is executed by The City of Vestavia Hills, Alabama, a municipal corporation (hereinafter referred to as "City"), as Grantor, and delivered to The Board of Education of the City of Vestavia Hills, Alabama (hereinafter referred to as "Board"), as Grantee, on this the 12th day of December, 2022.

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the execution and delivery of a Memorandum of Understanding for Shared Facility Use, Land Planning and Funding Between the City and the Board, dated on February 4, 2019, in hand approved, executed and delivered by Grantor to Grantee on February 25, 2019 and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged by Grantee, the said Grantor does by these presents, grant, bargain, gift and convey unto Grantee that certain real property (the "Property") situated in Jefferson County, Alabama which is more particularly described as follows:

Lot 3 in Wald Park Survey No. 2 filed in the office of the Judge of Probate of Jefferson County, Alabama on December 22, 2020 and recorded at Instrument #2020146003, Bk: 254, Page 44; and

This conveyance is made subject to all existing restrictions, set-back lines, right of ways, limitations, easements, exceptions, reservations, mortgages if any, releases, mineral and mining rights, covenants and other matters of record. No examination of title was made. No title opinion was rendered.

EXHIBIT 2

And the Grantor covenants and agrees to and with Grantee, that Grantor has not done or suffered to be done anything whereby the above-described property is or may be in any manner encumbered or charged and that the Grantor will warrant and defend the above-described property against all persons lawfully claiming or to claim the same by, through or under the Grantor.

TO HAVE AND TO HOLD the said above-described property unto the said Grantee, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto its successors and assigns forever.

IN WITNESS WHEREOF, Grantor by its Mayor and City Manager, who are authorized to execute this conveyance, hereto set their signatures and seals, on this the 12th day of December, 2022.

THE CITY OF VESTAVIA HILLS, ALABAMA

By

Ashley C. Curry
Mayor

By

Jeffrey D. Downes
City Manager

ATTEST:

By _____

STATE OF ALABAMA

JEFFERSON COUNTY

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Ashley C. Curry, whose name as Mayor of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama.

Given under my hand and official seal this 12th day of December, 2022.

Notary Public

My Commission Expires:

SEAL

STATE OF ALABAMA

JEFFERSON COUNTY

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Jeffrey D. Downes, whose name as City Manager of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama.

Given under my hand and official seal this 12th day of December, 2022.

Notary Public

My Commission Expires:

SEAL

RESOLUTION NUMBER 5433

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A
REFUNDS TO THE STATE OF ALABAMA FOR AN ERRONEOUS TAX
SALE**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
VESTAVIA HILLS, ALABAMA, AS FOLLOWS:**

1. The City Manager is hereby authorized to issue a refund to the State of Alabama in the amount of \$8,510.98 representing proceeds paid from an erroneous tax sale of property located in the City; and
2. This Resolution number 5433 shall be effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 12th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Rebecca Leavings

From: Melvin Turner
Sent: Tuesday, December 6, 2022 3:00 PM
To: Rebecca Leavings; Jeff Downes; Zachary J. Clifton
Subject: Refund-State of Alabama
Attachments: Refund-City Council.pdf

Hello Ms. Leavings,

Please place on the upcoming City Council agenda a request for refund received from the State of Alabama Department of Revenue in the amount of \$8,510.98.

The City of Vestavia Hills received the funds and posted receipt of same, Monday, April 25, 2022.

The State of Alabama sold the property for delinquent taxes. The property reflected a "Market Value" of \$80,000.00 and was sold accordingly. After a reevaluation of the property and a preliminary hearing, it was discovered that the "Market Value is actually \$800.00. The sale of the property valued at \$80,000.00 was terminated.

Thank you for your assistance.

Regards,
Melvin



Melvin Turner, III – Director
Finance Department
Off (205) 978-0128 | Cell (205) 568-3887
mturner@vhal.org
City of Vestavia Hills
1032 Montgomery Highway
Vestavia Hills, AL 35216

50 North Ripley Street
Montgomery, AL 36130

revenue.alabama.gov

Alabama
Department
of Revenue



November 10, 2022

Attention: Treasurer
City of Vestavia Hills
1032 Montgomery Highway
Vestavia Hills, AL 35216

RE: Parcel#: 013900012000040000 C/S#: 01-16-1613
Legal Description: COM NW COR SW 1/4 NW 1/4 SEC 1 TP 19 R3W TH S 813 FT TH E 100 FT TO
POB TH NE 60.9 FT TH SE 17 FT TH SW 64.5 FT TH N 16.2 FT TO POB
Deed Issued To: Chinyere Jumbo

Dear Tax Collector:

The purchaser has elected to void the purchase of the referenced tax deed because the sale to the State has been voided. We must now recapture our disbursement to refund the purchase price.

Please remit to us \$8,510.98, which is the amount previously disbursed under cover of our Certification/Distribution letter (copy enclosed). Mail the funds to my attention at Alabama Department of Revenue, Property Tax Division, P.O. Box 327210, Montgomery, AL 36132-7210. As soon as all prior disbursements are recaptured, we can refund the purchase price. If you have any questions, then call at 334-242-1525.

Sincerely,

Kristie Pratt
Property Tax Division
State Land Agent

STATE OF ALABAMA
 Department of Finance - Office of State Comptroller
 Montgomery, AL 36130-2602

7005419

BANK CODE : 05

CATEGORY : 019

VENDOR : MISC0199900

WARRANT NUMBER : 1020326440

WARRANT DATE : 04/19/2022

PAYMENT DOCUMENT

CD	DEPT	ID	INVOICE NUMBER	INV.LN NO.	INV.DT	DESCRIPTION	AMOUNT
GAX	019	DIST221649	LPD-22-185		04/07/2022	01-16-1613C	8,510.98

Page TOTAL :	8,510.98
TOTAL :	8,510.98

7005419



State of Alabama
 Department of Finance
 Office of State Comptroller
 Montgomery, Alabama 36130-2602

Warrant Number
 1020326440

Date of Issue	Net Amount
04-19-2022	\$*****8,510.98

Eight Thousand Five Hundred Ten And 98/100 Dollars

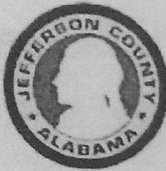
PAY TO THE ORDER OF:

CITY OF VESTAVIA HILLS
 CITY TREASURER
 1032 MONTGOMERY
 VESTAVIA HILLS AL 35216

VOID AFTER ONE YEAR

Hathleen O. Baxter

STATE COMPTROLLER



Board of Equalization
 716 Richard Arrington Jr Blvd N
 Room A 500 North Annex
 Birmingham AL 35203

Site Address: 2636 TYLER RD

PEMBERTON JEAN & RALPH C/O JUMBO CHINYERE
 763 RIDGEWAY AVE
 COLUMBIANA AL 35051

2022 RESULT OF PRELIMINARY HEARING

- NOTICE DATE: July 27, 2022
- RETURN THIS NOTICE WITHIN 10 DAYS OF THE NOTICE DATE TO THE BOARD OF EQUALIZATION.

Case #: C22-00261 Parcel Number: 39 00 01 2 000 040.000

Market Value before Preliminary Hearing: \$80,000 Market Value after Preliminary Hearing: \$800

It is important that you respond and return this results letter so that we can record your response in an accurate and timely manner. Failure to return this letter will result in an expedited board hearing, which may limit your time to present your case.

Check one of the following:

- 1. I agree with Market Value after Preliminary Hearing.
- 2. I disagree with Market Value after Preliminary Hearing, but I choose not to contest further.
- 3. I disagree with Market Value after Preliminary Hearing. I request to be docketed to the Board for a hearing.

Chinyere Jumbo
 Signature

07/29/2022
 Date

YOUR RESPONSE IS REQUIRED BY ONE OF THE FOLLOWING METHODS

- A. Mail or hand deliver to the return address
- B. OR scan and email to boe@iccal.org
- C. Include PH Results and your case number (ex. C20-00012) in the subject line. Include 1. agree, 2. disagree, or 3. docket.
- D. Include all relevant evidence, such as but not limited to, timely appraisals, comparable sales, photos, repair estimates, repair receipts, profit and loss statements, etc.

Please keep a copy for your records.

boe.iccal.org

Case #: C22-00261

ORDINANCE NUMBER 3137

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS AGRICULTURE TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills Agriculture to Vestavia Hills R-2 (medium density residential):

3419 Ronlea Circle
Gladys Bailey, Owner(s)

More particularly described as follows:

Parcel Of Land Located In The Ne 1/4 Of The SW 1 /4 And The SE 1/4 Of The NW 1/4 of Section 23, Township 18 South, Range 2 West, More Particularly Described As Follows:

Commence At A Found 1" Crimp Pipe At The NW Corner Of Lot 24 Of Brentwood Highlands Subdivision Recorded In Map Book 65, Page 22, Jefferson County, Alabama; Thence S 01°02'34" E Along The Westerly Line Of Said Lot 24, 200.00 Feet To A Set 1/2" Capped Rebar (Ca-1158) At The SW Corner Of Said Lot 24 And The Point Of Beginning; Thence N 56°28'39" E Along The South Line Of Lot 24, 150.40 Feet To A Found 1" Crimp Pipe At The SW Corner Of Lot 23; Thence N 56°56'52" E Along The South Line Of Lot 23, 139.81 Feet To A Found 1" Crimp Pipe At The SW Corner Of Lot 22; Thence N 56°54'-28" E Along The South Line Of Lot 22, 49.96 Feet To A Found L" Crimp Pipe; Thence N 50°46'22" E Along The South Line Of Lot 22, 54.86 Feet To A Found 1" Crimp Pipe At The SW Corner Of Lot 21; Thence N 51°04'03" E Along The South Line Of Lot 21, 105.09 Feet To A Found 6" Row Marker On The North Right Of Way Of Interstate ,459; Thence S 41°20'16" W Along Said North Right Of Way, 3.95 Feet To A Found 1/2" Capped Rebar (Ca,817); Thence N 01°02'34" W, 173.68 Feet To The Point Of Beginning. Said Parcel Contajning 0.765 Acres More Or Less.

APPROVED and ADOPTED this the 19th day of November, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

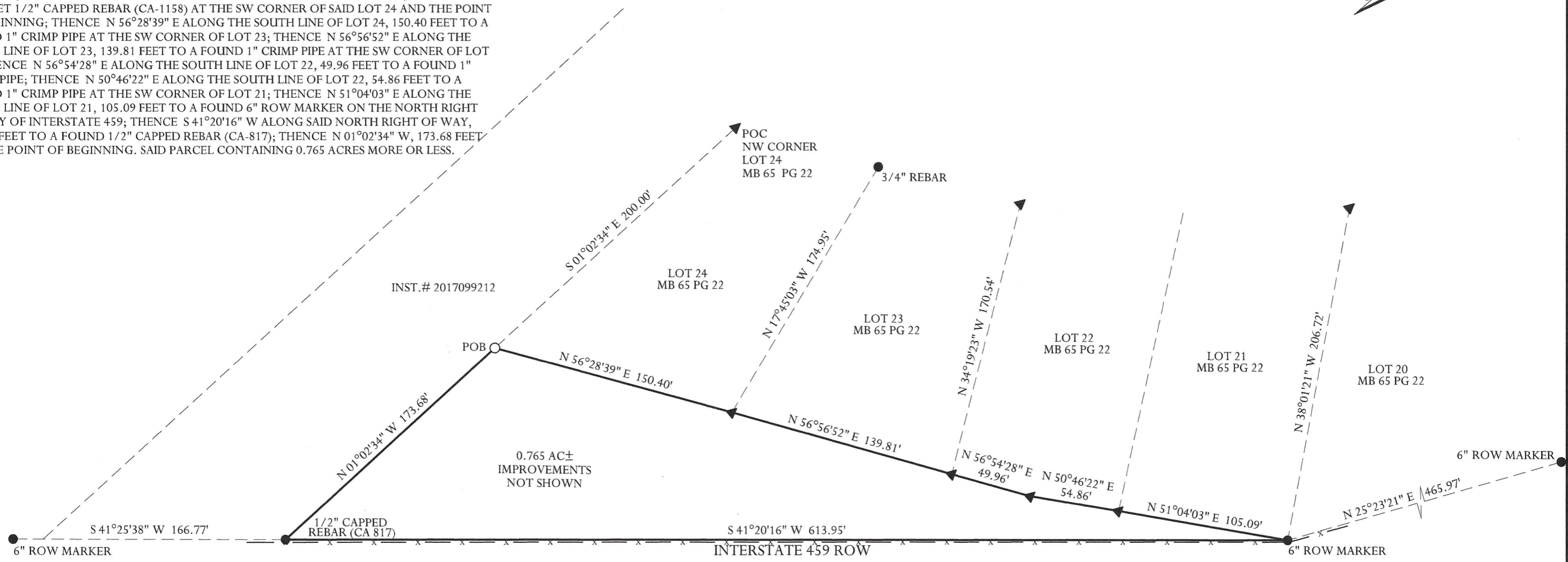
I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3137 is a true and correct copy of such 24th day of October, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4 OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 2 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT A FOUND 1" CRIMP PIPE AT THE NW CORNER OF LOT 24 OF BRENTWOOD HIGHLANDS SUBDIVISION RECORDED IN MAP BOOK 65, PAGE 22, JEFFERSON COUNTY, ALABAMA; THENCE S 01°02'34" E ALONG THE WESTERLY LINE OF SAID LOT 24, 200.00 FEET TO A SET 1/2" CAPPED REBAR (CA-1158) AT THE SW CORNER OF SAID LOT 24 AND THE POINT OF BEGINNING; THENCE N 56°28'39" E ALONG THE SOUTH LINE OF LOT 24, 150.40 FEET TO A FOUND 1" CRIMP PIPE AT THE SW CORNER OF LOT 23; THENCE N 56°56'52" E ALONG THE SOUTH LINE OF LOT 23, 139.81 FEET TO A FOUND 1" CRIMP PIPE AT THE SW CORNER OF LOT 22; THENCE N 56°54'28" E ALONG THE SOUTH LINE OF LOT 22, 49.96 FEET TO A FOUND 1" CRIMP PIPE; THENCE N 50°46'22" E ALONG THE SOUTH LINE OF LOT 22, 54.86 FEET TO A FOUND 1" CRIMP PIPE AT THE SW CORNER OF LOT 21; THENCE N 51°04'03" E ALONG THE SOUTH LINE OF LOT 21, 105.09 FEET TO A FOUND 6" ROW MARKER ON THE NORTH RIGHT OF WAY OF INTERSTATE 459; THENCE S 41°20'16" W ALONG SAID NORTH RIGHT OF WAY, 613.95 FEET TO A FOUND 1/2" CAPPED REBAR (CA-817); THENCE N 01°02'34" W, 173.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 0.765 ACRES MORE OR LESS.



ABBREVIATIONS

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
ROW	RIGHT OF WAY
DB	DEED BOOK
PG	PAGE

LEGEND

○	SET 1/2" CAPPED REBAR (SPS CA-1158LS)
●	FOUND MONUMENTATION
▲	FOUND 1" CRIMP PIPE

NOTES
 1. PURPOSE OF SURVEY: TO SURVEY AND DESCRIBE THE REMAINING PROPERTY OF ROBERT & GLADYS BAILEY AFTER ROW WAS ACQUIRED FOR INTERSTATE 459.
 2. IMPROVEMENTS NOT LOCATED.

SOUTHERN POINT SURVEYING
 330 GREGORY ROAD JASPER, AL 35503 (205) 522-6805 WES@SOPOSURV.COM

BOUNDARY SURVEY FOR ROBERT & GLADYS BAILEY
 PART OF THE NE 1/4 OF SW 1/4 & SE 1/4 OF NW 1/4 SECTION 23, T 18S, R 2W JEFFERSON COUNTY, ALABAMA

DWG NAME: BAILEY 459	JOB No.: 22-107	SCALE: 1"=60'
CRD NAME: BAILEY 459	LAST FIELD SURVEY DATE: 1-2021	
DRAWN BY: WGB	BEARINGS BASED ON STATE PLANE GRID (NAD 83 ALABAMA WEST), VIA RTK GPS	
TYPE OF SURVEY: SUBURBAN		

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.



SURVEYOR'S SIGNATURE: *Wesley Gary Bertoldi*
 WESLEY GARY BERTOLDI, P.L.S.
 ALABAMA LICENSE No: 27167 DATE: 1.24.22



City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-7

Owner Name: GLADYS BAILEY

Owner Address: 3425 RONLEA CIR VESTAVIA AL 35243-1633

Representative: Wes Bertoldi

Rep. Address:

Project Address: 3419 Ronlea Cir

Legal Description: BEG SW COR OF LOT 24 BRENTWOOD HIGHLANDS S 182 S TO N R/W OF I-459 NE 620 S SW 429 S TO P O B

Parcel ID Number: 28 00 23 3 002 008.000

Current Zoning: A

Requested Zoning: R-2

Intended Purpose: Combine parcels to the north

MOTION Mr. Larson made a motion to recommend Rezoning for 3419 Ronlea Cir. from Vestavia Hills A to R-2 as presented. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Honeycutt – yes

Mr. Sykes – yes

Ms. Barnes – yes

Mr. Larson – yes

Mr. Romeo – yes

Mr. Maloof– yes

P&Z Recommendation: Mr. Vercher– yes

Motion carried.

Date of P&Z Meeting: November 10, 2022

Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael Vercher, Chair

Issued by:

Conrad Garrison, City Planner



11/17/2022

RZ-22-7

Rezoning Application

Status: Active

Date Created: Sep 9, 2022

Applicant

Wesley Bertoldi
wes@soposurv.com
399 GREGORY RD
JASPER, AL 35503
2055226805

Primary Location

3425 RONLEA CIR
VESTAVIA HILLS, AL 35243

Owner:

Gladys Bailey
3425 Ronlea Cir Birmingham, AL 35243

Agenda Scheduling Information

Agenda Schedule

November 2022

Comment/Reschedule/Delay & Reason

--

Property Information

Subject Property Address

3419 Ronlea Cir

Tax Parcel ID Number

28 00 23 3 002 008.000

Legal Description

BEG SW COR OF LOT 24 BRENTWOOD HIGHLANDS S 182 S TO N R/W OF I-459 NE 620 S SW 429 S TO P O B

Existing Parking Spaces

--

Proposed Parking Spaces

--

Submission Date

09/09/2022

Type of Project

New Residential Subdivision

Action Requested:

From Existing Zoning Classification

A

To Requested Zoning Classification

R-2

For the Intended Purpose of:

Combine parcels to the north

Acreage of Subject Property

0.765

Acreage of Property to be Disturbed

0

Setbacks

Front

--

Back

--

Side

--

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

GLADYS BAILEY

Company Name

--

Owner Address City State Zip

3425 RONLEA CIR VESTAVIA AL 35243-1633

Owner's Phone Number

205-9605910

Email Address of Owner

RBAILEY@CHARTER.NET

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

**Owner Representative/Responsible Party**

Wes Bertoldi

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

wes@soposurv.com

Project Engineer Information (if applicable)**Name**

--

Company

--

Mailing Address

--

Phone Number

--

Email

--

Internal Reviews**Date of P&Z Meeting**

11/10/2022

P&Z Recommendation & Vote

MOTION Mr. Larson made a motion to recommend Rezoning for 3419 Ronlea Cir. from Vestavia Hills A to R-2 as presented. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

RESOLUTION NUMBER 5425

A RESOLUTION AUTHORIZING THE INSTALLATION OF A NEW SUPPORT STRUCTURE FOR A SMALL CELL FACILITY TO BE LOCATED IN THE RIGHT-OF-WAY ADJACENT TO CERTAIN PROPERTIES IN THE CITY OF VESTAVIA HILLS

WHEREAS, on December 17, 2018, the City Council adopted and approved Ordinance 2814A to adopt regulations for small cell technology facilities (“Nodes”) in the City of Vestavia Hills, Alabama; and

WHEREAS, §2.B.7 recommends that said Nodes shall be collocated when possible, however, when not possible the request shall be recommended by the City Manager and then approved by the City Council following a public hearing; and

WHEREAS, on the 11th day of October, 2022, Acquanetta Love, on behalf of Crown Castle Fiber, LLC, submitted applications for a new support structure to be located in the right-of-way (“ROW”) adjacent to the following properties as detailed in Exhibit A which is attached and incorporated into this Resolution Number 5425 as if written therein; (1) 1445 Linda Vista Lane, (2) 2604 Kingwood Road, (3) 2733 Southview Drive, (4) 1829 Forest Haven Lane, and (5) 2857 Vestavia Forest Drive; and

WHEREAS, a sign was erected on the ROW and the surrounding property owners were notified of a public hearing to be held on December 19, 2022 regarding said new support request; and

WHEREAS, the City Manager and the City Staff have reviewed the application and recommend approval of said request; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to accept the recommendation and authorize installation of said new support structure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor and City Council hereby accept the recommendation of the City Manager and authorize the installation of a new support structure to be located in the ROW adjacent to (1) 1445 Linda Vista Lane, (2) 2604 Kingwood Road, (3) 2733 Southview Drive, (4) 1829 Forest Haven Lane, and (5) 2857 Vestavia Forest Drive as detailed in the supporting

information marked as Exhibit A, attached to and incorporated into this Resolution 5425 as if written fully therein; and

2. This Resolution shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

November 28, 2022

This is an OFFICIAL NOTICE to inform you of the time, date and other details of the public hearing which will be held in the Vestavia Hills City Hall on the subject as follows:

TIME/DATE OF HEARING: 6:00 P.M. December 19, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 1445 Linda Vista Lane; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

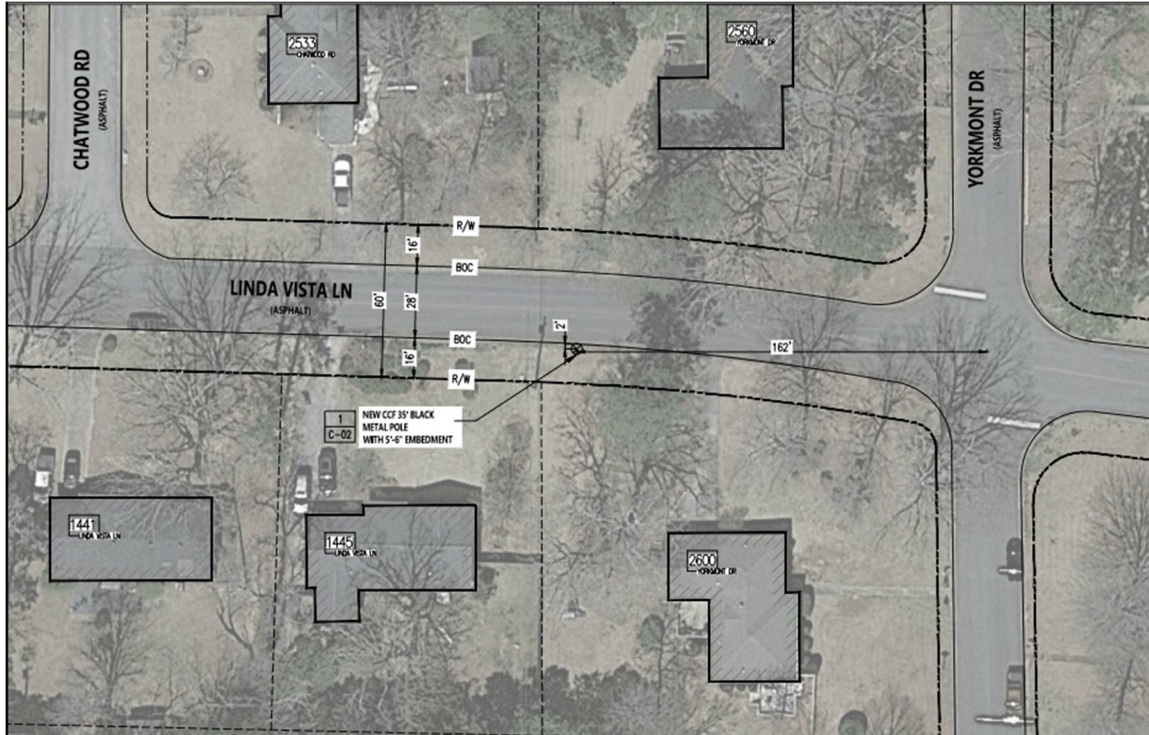
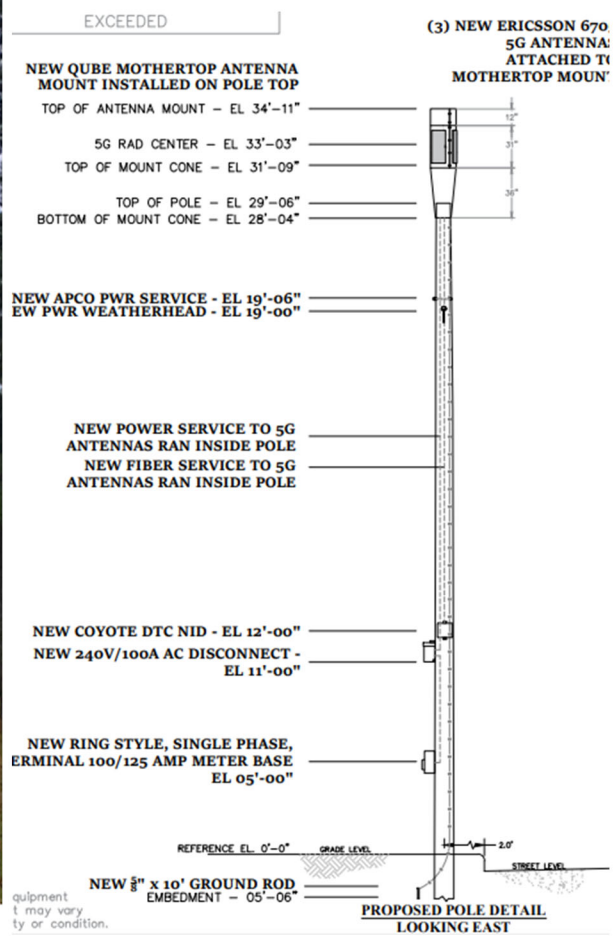


PHOTO SIMULATION



equipment
may vary
by or condition.

CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

November 28, 2022

This is an OFFICIAL NOTICE to inform you of the time, date and other details of the public hearing which will be held in the Vestavia Hills City Hall on the subject as follows:

TIME/DATE OF HEARING: 6:00 P.M. December 19, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 2604 Kingswood Road; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

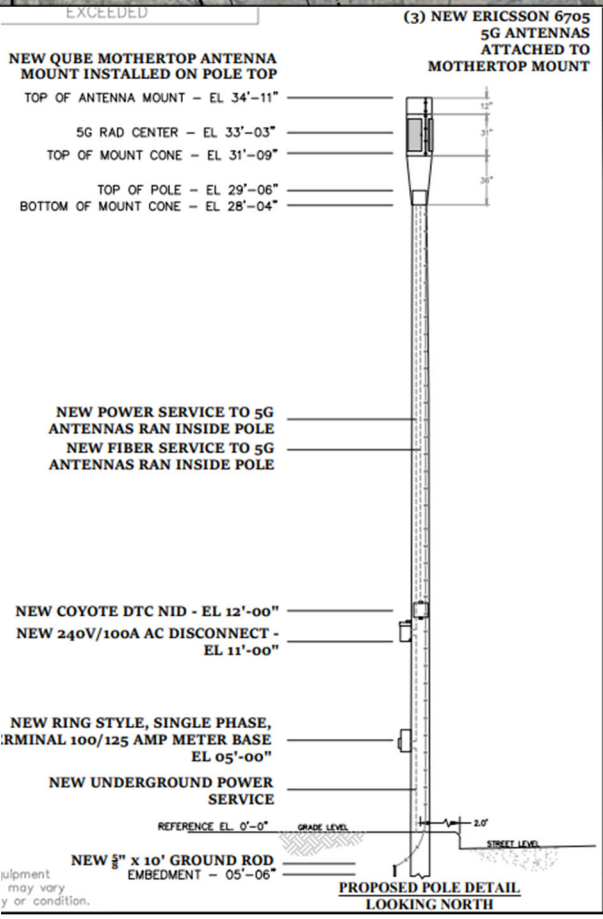
Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.



PHOTO SIMULATION



Equipment may vary by condition.

CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

November 28, 2022

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TIME/DATE OF HEARING: 6:00 P.M. December 19, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 2733 Southview Drive; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

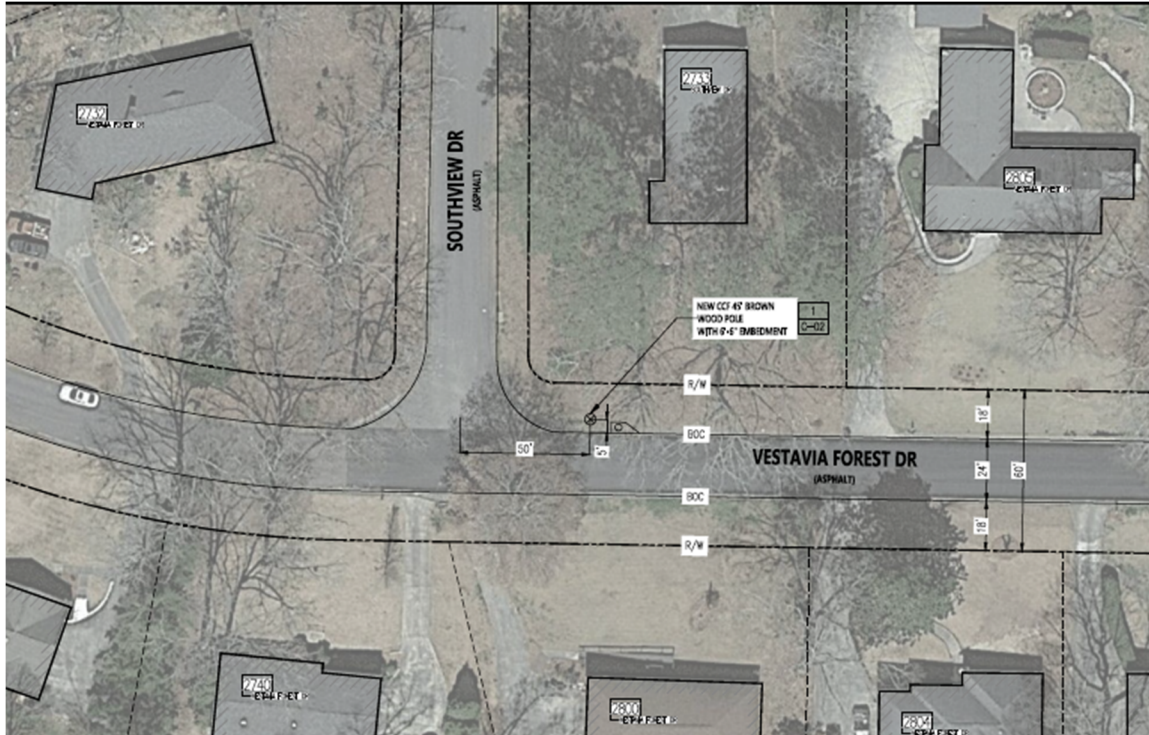
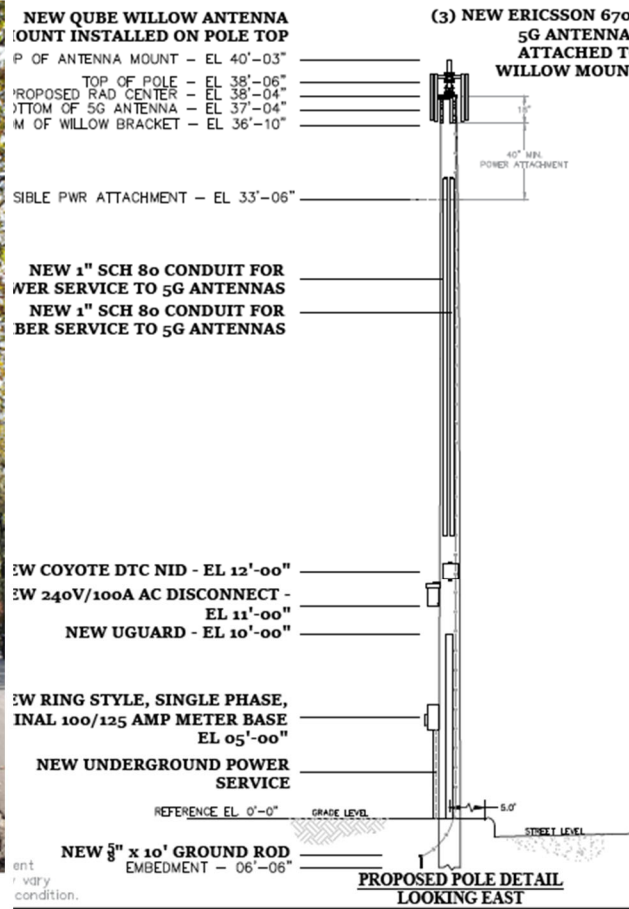


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CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

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November 28, 2022

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TIME/DATE OF HEARING: 6:00 P.M. December 19, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 1829 Forest Haven Lane; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

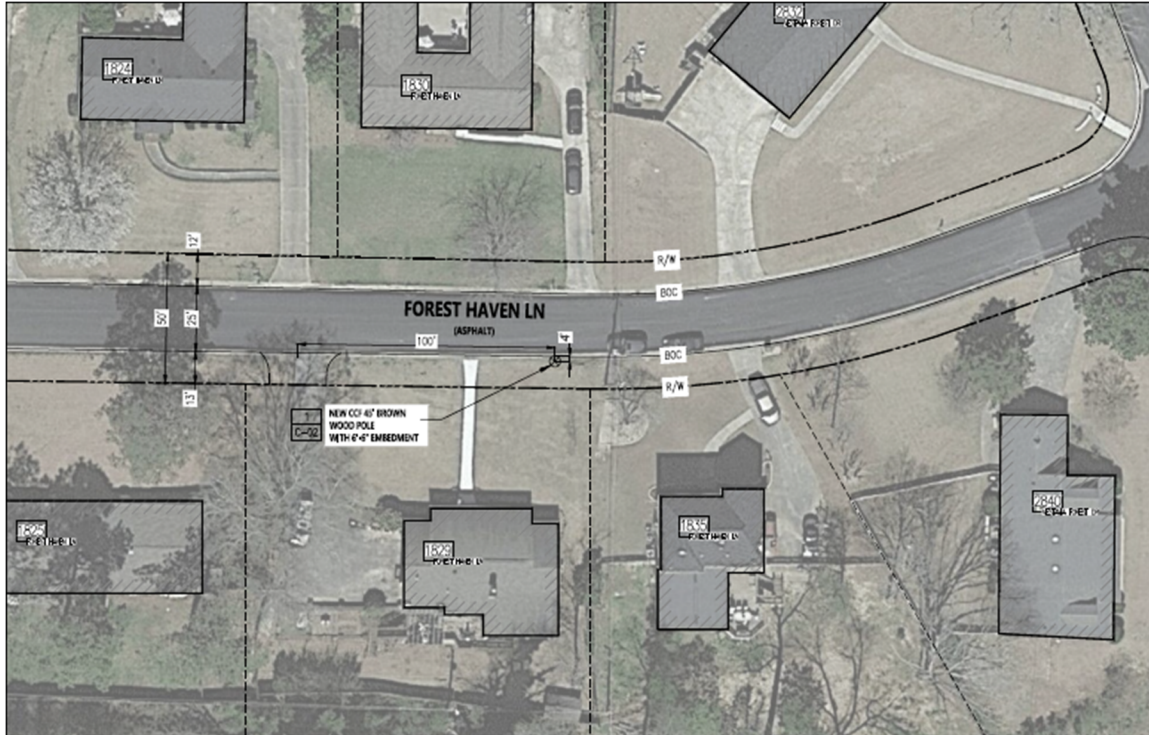
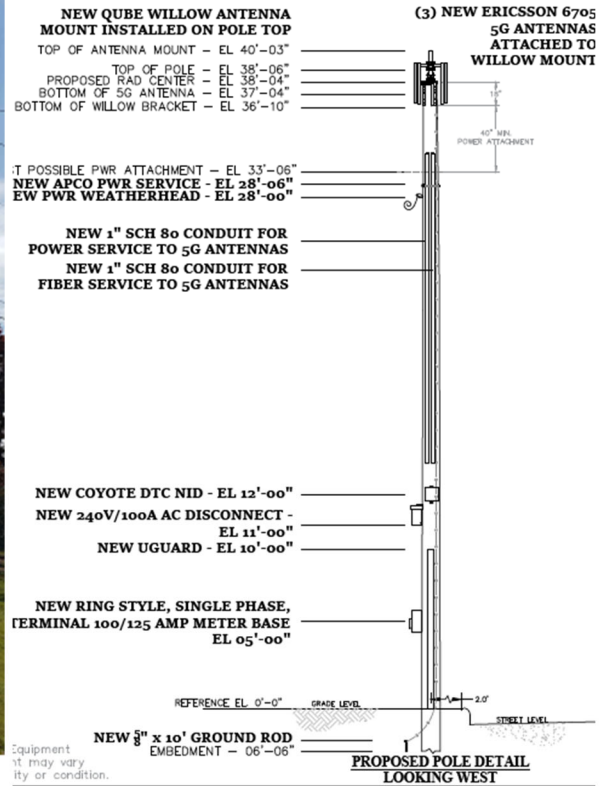


PHOTO SIMULATION



CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

November 28, 2022

This is an OFFICIAL NOTICE to inform you of the time, date and other details of the public hearing which will be held in the Vestavia Hills City Hall on the subject as follows:

TIME/DATE OF HEARING: 6:00 P.M. December 19, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 2857 Vestavia Forest Drive; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

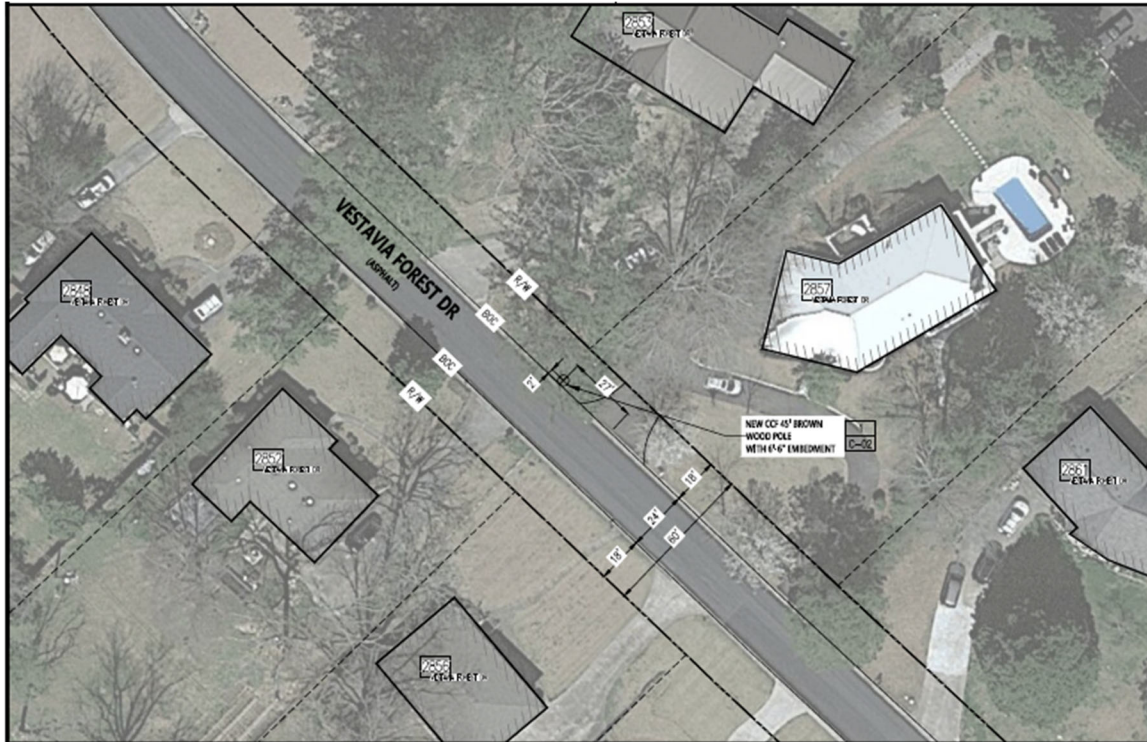
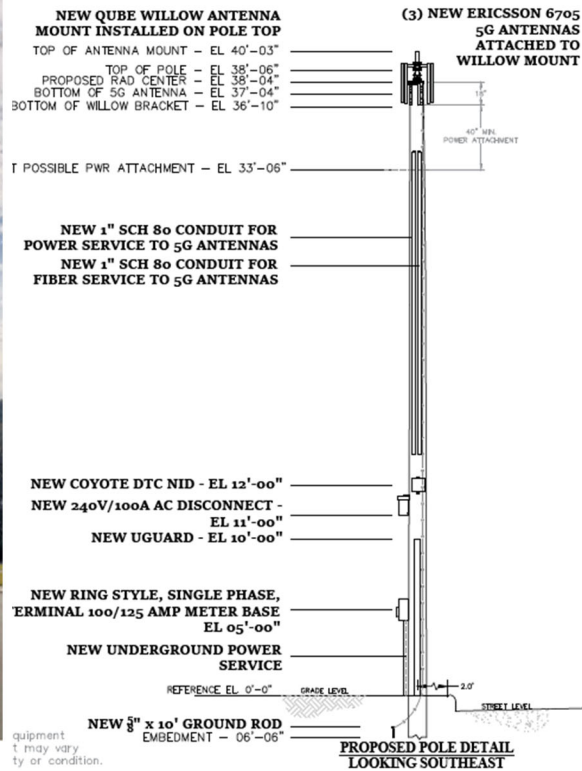


PHOTO SIMULATION



RESOLUTION NUMBER 5426

A RESOLUTION ACCEPTING THE DEDICATION OF THE STREETS IN HELEN RIDGE KNOWN AS HELEN RIDGE CIRCLE AND HELEN RIDGE DRIVE

WHEREAS, Harris Doyle Homes is the developer for Helen Ridge in Vestavia Hills, Alabama. This dedication consists of the streets named “Helen Ridge Circle and Helen Ridge Drive”; such dedication not to include any improvements other than the streets named in this Resolution.

WHEREAS, the streets were built according to the Vestavia Hills specifications and the development company is presenting them to the City of Vestavia Hills for acceptance complete with a guarantee against any defects for a period of one (1) year from date of dedication.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, that the City hereby accepts the offer of dedication made by Harris Doyle Homes for Helen Ridge and said streets are hereby named public streets.

ADOPTED and APPROVED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Rebecca Leavings

From: Jerry Howard <jerry.howard@harrisdoyle.com>
Sent: Friday, December 2, 2022 2:29 PM
To: Rebecca Leavings
Cc: Lori Beth Kearley; Christopher Brady; Brooks Harris
Subject: [External] Helen Ridge Street Dedication
Attachments: Helen Ridge Final Plat Recorded w_all pages.pdf

Ms. Leavings,

I am writing requesting that the Streets and Right-of-ways for the Helen Ridge development be dedicated to the City of Vestavia at the earliest possible time. All improvements covered by the bond have been completed and Harris Doyle is requesting the release of the bond upon dedication. I have attached the recorded plat for the Helen Ridge subdivision for your reference.

I appreciate your consideration of this request. Please let me know if I can provide any additional information.

Thank you,



Jerry Howard

Director of Land Development

(O) 205.982.2896 x 106

(C) 205.240.7100

(E) jerry.howard@harrisdoyle.com

3111 Timberlake Drive, Birmingham, AL 35243

[f](#) [i](#) [t](#) [v](#) [p](#) www.harrisdoyle.com

CITY OF VESTAVIA HILLS
DEPARTMENT OF PUBLIC SERVICES
OFFICE OF CITY ENGINEER
INTER-DEPARTMENT MEMO

December 5, 2022

To: Jeff Downes, City Manager

Cc: Brian Davis, Director of Public Services
Lori Beth Kearley, Assistant City Engineer
Rebecca Leavings, City Clerk

From: Christopher Brady, City Engineer

RE: Dedication of Helen Ridge Drive and Helen Ridge Circle as Public Streets

The Developer has formally requested dedication of Helen Ridge Drive and Helen Ridge Circle to the City of Vestavia Hills for roadway improvements within the platted right-of-way. Upon final inspection, I have found all improvements to be complete and in compliance with City standards for public streets.

The platted right-of-way is shown to be 50' in width. If the request is granted, the City's Public Works Department will maintain the asphalt within vehicular travel lanes, all curbing, storm inlets and piping, and sidewalks within the City right-of-way. All other features, including but not limited to common stormwater detention areas, driveways, grass strip between sidewalk and the roadway, walls, entrance signage, etc., shall be maintained by individuals or another entity.

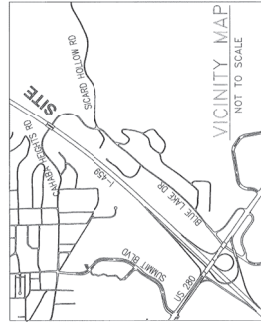
A Final Wearing Surface Maintenance Bond in the amount of \$10,653 is required to be kept on file with the City for a full year after the roadway improvements have been accepted by the City Council to ensure all improvements are kept in good repair.

Please let me or Lori Beth know if any questions.



FINAL PLAT HELEN RIDGE

SITUATED IN SECTION 23, TOWNSHIP 18 SOUTH, RANGE 1 WEST,
JEFFERSON COUNTY, ALABAMA



NOTES

1. ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE OF HAVE BEEN SHOWN HEREON.
2. ELEVATIONS OF ALL SANITARY LATERALS TO EACH LOT SHOULD BE VERIFIED BY BUILDER PRIOR TO SETTING LOWEST FLOOR OF BUILDING TO BE SERVED.
3. CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING BUILDING SITES FREE OF DRAINAGE PROBLEMS.
4. NO FURTHER SUBDIVISION OF ANY PARCEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE CITY OF VESTALIA PLANNING COMMISSION.
5. ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ALABAMA (COMMUNITY PANEL 010730005796, EFFECTIVE DATE 09/23/2006).
6. ZONING: R-9 SETBACKS: FRONT 10', SIDE 0' (MINIMUM OF 10' FROM BUILDINGS), REAR 10'.
7. MAINTENANCE OF COMMON AREAS TO BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	100.00	100.00	90.00	S 00°00'00" W	100.00
C2	100.00	100.00	90.00	N 00°00'00" E	100.00
C3	100.00	100.00	90.00	E 00°00'00" E	100.00
C4	100.00	100.00	90.00	S 00°00'00" W	100.00
C5	100.00	100.00	90.00	N 00°00'00" E	100.00
C6	100.00	100.00	90.00	E 00°00'00" E	100.00
C7	100.00	100.00	90.00	S 00°00'00" W	100.00
C8	100.00	100.00	90.00	N 00°00'00" E	100.00
C9	100.00	100.00	90.00	E 00°00'00" E	100.00
C10	100.00	100.00	90.00	S 00°00'00" W	100.00
C11	100.00	100.00	90.00	N 00°00'00" E	100.00
C12	100.00	100.00	90.00	E 00°00'00" E	100.00
C13	100.00	100.00	90.00	S 00°00'00" W	100.00
C14	100.00	100.00	90.00	N 00°00'00" E	100.00
C15	100.00	100.00	90.00	E 00°00'00" E	100.00
C16	100.00	100.00	90.00	S 00°00'00" W	100.00
C17	100.00	100.00	90.00	N 00°00'00" E	100.00
C18	100.00	100.00	90.00	E 00°00'00" E	100.00
C19	100.00	100.00	90.00	S 00°00'00" W	100.00
C20	100.00	100.00	90.00	N 00°00'00" E	100.00
C21	100.00	100.00	90.00	E 00°00'00" E	100.00
C22	100.00	100.00	90.00	S 00°00'00" W	100.00
C23	100.00	100.00	90.00	N 00°00'00" E	100.00
C24	100.00	100.00	90.00	E 00°00'00" E	100.00
C25	100.00	100.00	90.00	S 00°00'00" W	100.00
C26	100.00	100.00	90.00	N 00°00'00" E	100.00
C27	100.00	100.00	90.00	E 00°00'00" E	100.00
C28	100.00	100.00	90.00	S 00°00'00" W	100.00
C29	100.00	100.00	90.00	N 00°00'00" E	100.00
C30	100.00	100.00	90.00	E 00°00'00" E	100.00

FINAL PLAT HELEN RIDGE

SITUATED IN SECTION 23, TOWNSHIP 18 SOUTH, RANGE 2 WEST,
JEFFERSON COUNTY, ALABAMA



26 00 21 000 000 000
MILN CROW HILLS

28 00 21 000 000 000
CITY OF VESTALIA

ALABAMA WEST ZONE NAD 83

DATE

REVISIONS

CHECKED BY: MGA

PROJECT NO.: A08B0006

DATE: November 6, 2019

SCALE: 1"=60'

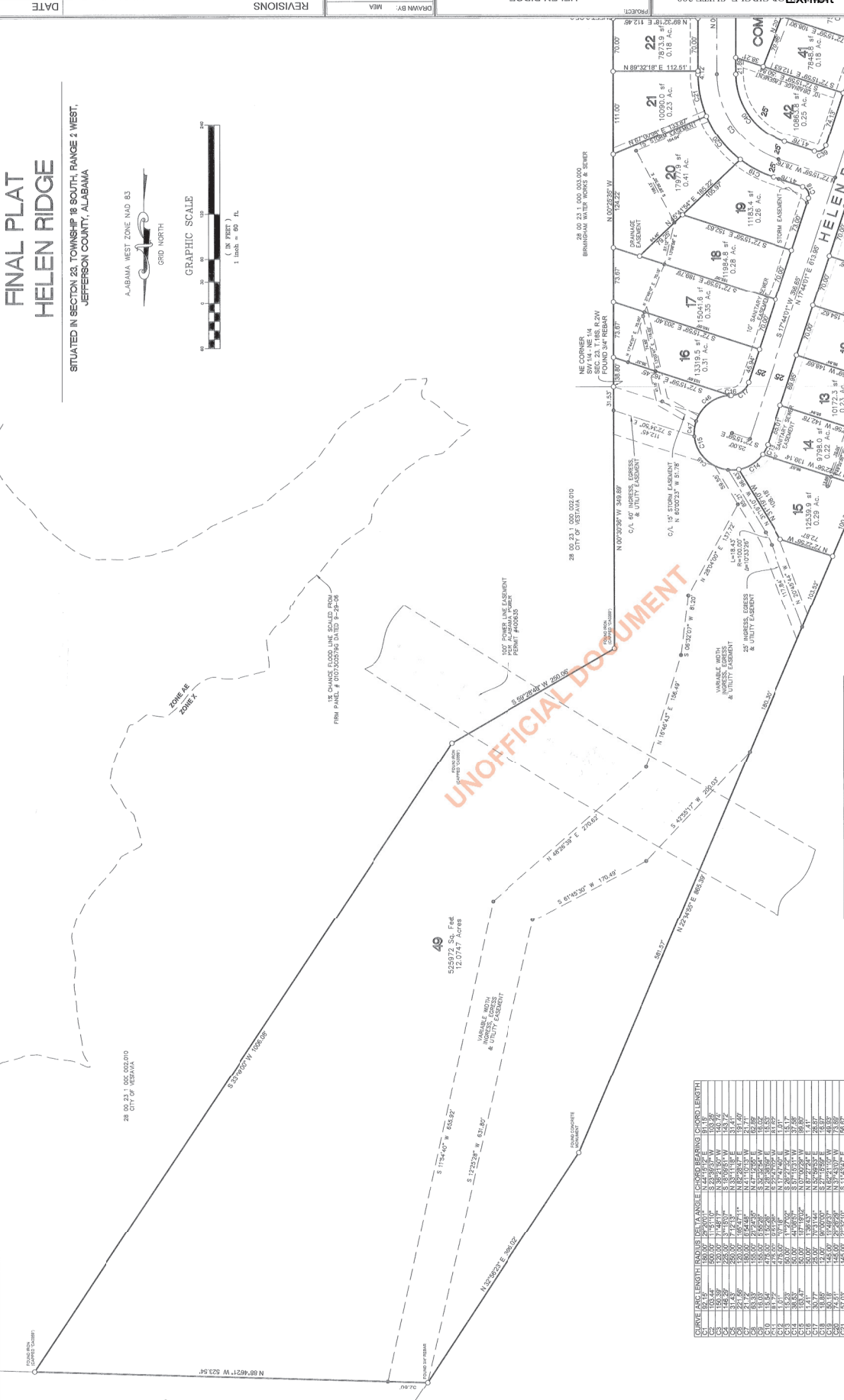
HELEN RIDGE

PROJECT: PROJECT OF CIRCLE, SUITE 300

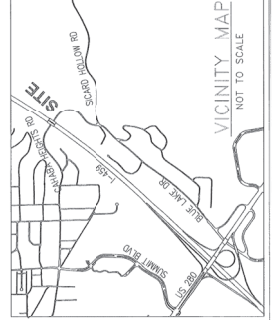
PELHAM, AL 35124
TEL. (205) 403-9178
FAX (205) 403-9175



3 OF 3



UNOFFICIAL DOCUMENT



CURVE DATA TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	ANGULAR ERROR
0+00	S 21°12'30" E	100.00	100.00	0
0+10	S 21°12'30" E	200.00	200.00	0
0+20	S 21°12'30" E	300.00	300.00	0
0+30	S 21°12'30" E	400.00	400.00	0
0+40	S 21°12'30" E	500.00	500.00	0
0+50	S 21°12'30" E	600.00	600.00	0
0+60	S 21°12'30" E	700.00	700.00	0
0+70	S 21°12'30" E	800.00	800.00	0
0+80	S 21°12'30" E	900.00	900.00	0
0+90	S 21°12'30" E	1000.00	1000.00	0
1+00	S 21°12'30" E	1100.00	1100.00	0
1+10	S 21°12'30" E	1200.00	1200.00	0
1+20	S 21°12'30" E	1300.00	1300.00	0
1+30	S 21°12'30" E	1400.00	1400.00	0
1+40	S 21°12'30" E	1500.00	1500.00	0
1+50	S 21°12'30" E	1600.00	1600.00	0
1+60	S 21°12'30" E	1700.00	1700.00	0
1+70	S 21°12'30" E	1800.00	1800.00	0
1+80	S 21°12'30" E	1900.00	1900.00	0
1+90	S 21°12'30" E	2000.00	2000.00	0
2+00	S 21°12'30" E	2100.00	2100.00	0
2+10	S 21°12'30" E	2200.00	2200.00	0
2+20	S 21°12'30" E	2300.00	2300.00	0
2+30	S 21°12'30" E	2400.00	2400.00	0
2+40	S 21°12'30" E	2500.00	2500.00	0
2+50	S 21°12'30" E	2600.00	2600.00	0
2+60	S 21°12'30" E	2700.00	2700.00	0
2+70	S 21°12'30" E	2800.00	2800.00	0
2+80	S 21°12'30" E	2900.00	2900.00	0
2+90	S 21°12'30" E	3000.00	3000.00	0
3+00	S 21°12'30" E	3100.00	3100.00	0
3+10	S 21°12'30" E	3200.00	3200.00	0
3+20	S 21°12'30" E	3300.00	3300.00	0
3+30	S 21°12'30" E	3400.00	3400.00	0
3+40	S 21°12'30" E	3500.00	3500.00	0
3+50	S 21°12'30" E	3600.00	3600.00	0
3+60	S 21°12'30" E	3700.00	3700.00	0
3+70	S 21°12'30" E	3800.00	3800.00	0
3+80	S 21°12'30" E	3900.00	3900.00	0
3+90	S 21°12'30" E	4000.00	4000.00	0
4+00	S 21°12'30" E	4100.00	4100.00	0
4+10	S 21°12'30" E	4200.00	4200.00	0
4+20	S 21°12'30" E	4300.00	4300.00	0
4+30	S 21°12'30" E	4400.00	4400.00	0
4+40	S 21°12'30" E	4500.00	4500.00	0
4+50	S 21°12'30" E	4600.00	4600.00	0
4+60	S 21°12'30" E	4700.00	4700.00	0
4+70	S 21°12'30" E	4800.00	4800.00	0
4+80	S 21°12'30" E	4900.00	4900.00	0
4+90	S 21°12'30" E	5000.00	5000.00	0

NOTES

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- 2. ELEVATIONS OF ALL SANITARY LATERALS TO EACH LOT SHOULD BE VERIFIED BY BUILDER PRIOR TO SETTING LOWEST FLOOR OF BUILDING TO BE SERVED.
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- 6. ZONING: R-9 setbacks: FRONT 10', SIDE 0' (MINIMUM OF 10' BETWEEN BUILDINGS), REAR 10'.
- 7. MAINTENANCE OF COMMON AREAS TO BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

COMPASS CODE: A-60
DATE: 09/29/2019
SCALE: 1"=60'
SHEET NO. 3 OF 3
1825176553

ORDINANCE NUMBER 3138

A RESOLUTION ACCEPTING A BID FOR STREET RESURFACING AND REPAIR IN THE CITY OF VESTAVIA HILLS

WHEREAS, on November 29, 2022 at 1:00 PM the City of Vestavia Hills publicly read aloud bids submitted for street repair and resurfacing in the City of Vestavia Hills with five bids received; and

WHEREAS, the Public Services Director has reviewed the bids, detailed them in an Bid Tabulation and email to the City Manager dated December 6, 2022 and recommended acceptance of the bid submitted by Central Alabama Asphalt & Construction Company. A copy of said Bid Tabulation and email are marked as Exhibit A attached to and incorporated into this Ordinance Number 3138 as if written fully therein; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to accept the recommendation of the Public Services Director and accept said bid as detailed in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The bid submitted by Central Alabama Asphalt & Construction Company as detailed in attached Exhibit A and recommended by the Public Services Director, is hereby accepted; and
2. The Mayor and City Manager are hereby authorized to execute and deliver a construction agreement, a copy of which is marked as Exhibit B, attached to and incorporated into this Ordinance Number 3138 as if written fully therein; and
3. This Ordinance Number 3138 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Rebecca Leavings

From: Brian Davis
Sent: Tuesday, December 6, 2022 12:19 PM
To: Jeff Downes; Rebecca Leavings
Cc: Christopher Brady; Lori Beth Kearley
Subject: Paving contractor Bid award
Attachments: Bid Tab_Residential Street Resurfacing_2022.pdf

Jeff, the attached shows the results of the paving bid. We would like to get this on the council agenda for a first read next Monday night for approval of Central Alabama Asphalt & Construction Company, LLC as the most responsible low bidder.

Christopher, Lori Beth and I will be meeting with them as soon as possible.

Please let me know if you have any questions.

“When a train goes through a tunnel and it gets dark, you don’t throw away the ticket and jump off. You sit still and trust the engineer.”

Corrie ten Boom



Brian C. Davis, CPSI
Director of Engineering and Public Works
1032 Montgomery Highway
Vestavia Hills, AL 35216
P 205 978 0150 | vhal.org

  WWW.ALIFEABOVE.ORG

BID TABULATION

Item	Unit	Bid Qty	Bidder No.1		Bidder No.2		Bidder No.3		Bidder No.4		Bidder No.5	
			Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
Seal**	ton	27,500	\$ 129.80	\$ 3,569,500.00	\$ 143.25	\$ 3,939,375.00	\$ 129.00	\$ 3,547,500.00	\$ 127.80	\$ 3,514,500.00	\$ 138.65	\$ 3,812,875.00
Binder**	ton	275	\$ 172.00	\$ 47,300.00	\$ 353.25	\$ 97,143.75	\$ 160.00	\$ 44,000.00	\$ 252.50	\$ 69,437.50	\$ 276.00	\$ 75,900.00
Tack Coat**	gal	30,000	\$ 6.50	\$ 1,950,000.00	\$ 3.55	\$ 106,500.00	\$ 8.50	\$ 255,000.00	\$ 5.05	\$ 151,500.00	\$ 5.25	\$ 157,500.00
Milling	ton	32,500	\$ 48.10	\$ 1,563,250.00	\$ 41.75	\$ 1,356,875.00	\$ 56.00	\$ 1,820,000.00	\$ 42.50	\$ 1,381,250.00	\$ 59.25	\$ 1,925,625.00
Striping	mi	7	\$ 4,250.00	\$ 29,750.00	\$ 3,850.00	\$ 26,950.00	\$ 3,650.00	\$ 25,550.00	\$ 3,500.00	\$ 24,500.00	\$ 3,550.00	\$ 24,850.00
Temp.Striping	mi	7	\$ 1,500.00	\$ 10,500.00	\$ 1,300.00	\$ 9,100.00	\$ 1,250.00	\$ 8,750.00	\$ 1,200.00	\$ 8,400.00	\$ 1,200.00	\$ 8,400.00
Permanent Markings	sf	6,000	\$ 6.50	\$ 39,000.00	\$ 7.10	\$ 42,600.00	\$ 7.00	\$ 42,000.00	\$ 6.60	\$ 39,600.00	\$ 6.55	\$ 39,300.00
Traffic Loops	If	5,000	\$ 7.65	\$ 38,250.00	\$ 5.30	\$ 26,500.00	\$ 5.00	\$ 25,000.00	\$ 5.00	\$ 25,000.00	\$ 5.00	\$ 25,000.00
Raise Manholes	ea	200	\$ 275.00	\$ 55,000.00	\$ 250.00	\$ 50,000.00	\$ 170.00	\$ 34,000.00	\$ 300.00	\$ 60,000.00	\$ 245.00	\$ 49,000.00
Valve Box Resets	ea	50	\$ 42.00	\$ 2,100.00	\$ 175.00	\$ 8,750.00	\$ 45.00	\$ 2,250.00	\$ 100.00	\$ 5,000.00	\$ 65.00	\$ 3,250.00
Total Bid Price				\$ 5,549,650.00		\$ 5,663,793.75		\$ 5,804,050.00		\$ 5,279,187.50		\$ 6,121,700.00
Bid Bond?			yes	no	yes	no	yes	no	yes	no	yes	no
Contractor's License Number?			yes	no	yes	no	yes	no	yes	no	yes	no
Bid document notarized?			yes	no	yes	no	yes	no	yes	no	yes	no

STATE OF ALABAMA

JEFFERSON COUNTY

CONSTRUCTION CONTRACT

WITNESSETH THIS CONSTRUCTION CONTRACT, made and entered into on this the _____ day of _____, 2022, by and between the City of Vestavia Hills, Alabama, a municipal corporation, organized, existing and operating pursuant to the laws of the State of Alabama situated at 1032 Montgomery Highway, Vestavia Hills, Alabama 35216, hereinafter referred to as the “City”, and _____, hereinafter referred to as the “General Contractor,” whose principal place of business is situated at _____.

WITNESSETH THESE RECITALS:

WHEREAS, on the 29th day of November, 2022, the City invited competitive bids for public street resurfacing for a period of three (3) years; and

WHEREAS, the scope of the work constitutes a “public works” project within the meaning of Act No. 97-225 enacted by the Legislature of the State of Alabama effective April 22, 1997 and now codified as Title 39, Chapters 1 through 5, et seq., *Code of Alabama, 1975*, hereinafter referred to as the “Public Works” Law of Alabama; and

WHEREAS, on the _____ day of _____, 2022, the City Council of the City of Vestavia Hills, Alabama determined that the General Contractor submitted the lowest responsible and responsive bid and awarded the contract for the public works project to the General Contractor; and

WHEREAS, the City and the General Contractor have agreed to the terms, provisions and conditions of this Construction Contract and have further agreed that it is in the best interest of the parties that this contract be reduced to writing.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in consideration of the mutual covenants, premises and promises contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged by each of the parties hereto, the City and General Contractor mutually agree as follows:

I. PUBLIC WORKS LAW

Notwithstanding any other laws to the contrary, Act No. 97-225, which is set forth in Title 39, Chapters 1 through 5, of the *Code of Alabama, 1975*, (“Public Works Law”) shall control the interpretation, construction, administration and enforcement of this Construction Contract. Both the City and the General Contractor agree that any and all terms, provisions, conditions and limitations of the said Public Works Law shall be and are hereby incorporated into this Construction Contract by reference as though set out fully herein.

II. INVITATION TO BID

The Invitation to Bid prepared by the City and submitted to the Contractor is attached hereto, marked as Exhibit 1 and is incorporated into this Construction Contract by reference as though set out fully herein.

III. BID BY GENERAL CONTRACTOR

The bid by General Contractor submitted to the City is attached hereto, marked as Exhibit 2 and is incorporated into this Construction Contract by reference as though set out fully herein.

IV. GENERAL CONTRACTOR

General Contractor represents, covenants and warrants that it is a licensed general contractor within the meaning of Title 34-8-1, *Code of Alabama, 1975*. Said General Contractor further represents that it is duly licensed and qualified to furnish the materials and supplies and perform the work of the public works project.

V. SCOPE OF THE WORK

The General Contractor shall furnish all labor, materials, taxes, insurance (worker's compensation and general liability) as follows:

Asphalt repair and resurfacing

VI. CONTRACT PRICE

The City shall pay to the General Contractor for the faithful performance of this contract and the completion of the work described in paragraph II above in an amount calculated in accordance with the bid marked as Exhibit 2.

VII. PAYMENT OF CONTRACT PRICE

The City shall pay to the General Contractor the contract price in full upon completion of the work described in paragraph II hereof.

VIII. CONTRACT TIME

The contract time is ninety (90) calendar days. General Contractor shall commence work after the City issues a proceed to work order and shall complete the work described in paragraph II hereof within ninety (90) days thereafter.

IX. QUALITY OF WORK

All labor, construction and installation of materials installed by the General Contractor in the performance of this agreement shall be done in a workmanlike manner.

X. LIABILITY INSURANCE

The General Contractor shall carry Manufacturer's and Contractor's Public Liability Insurance with limits of Three Hundred Thousand Dollars (\$300,000.00), per person, and One Million Dollars (\$1,000,000.00), per occurrence, to cover and protect the City, the General Contractor and its subcontractors against claims or injury to or death of one or more than one person because of accidents which may occur or result from operations under the contract; such insurance shall cover the use of any and all equipment, including but not limited to machinery, tractors, rollers, mixers, motor vehicles and other related equipment necessary to perform the work and installations and embraced in this contract.

The General Contractor shall carry, during the life of this contract, property damage insurance in the amount of not less than Three Hundred Thousand Dollars (\$300,000.00) to protect it and its subcontractors from claims for property damage which might arise from the work performed under this contract.

Before commencing work, the General Contractor shall submit evidence of the coverage required above to the City for review and approval. Such insurance shall be carried with financially responsible insurance companies, licensed in the state and approved by the City and shall be kept in full force and effect until the General Contractor's work is accepted by the City. Contracts of insurance (covering all operations under this contract) which expire before the General Contractor's work is accepted by the City shall be renewed and evidence of such renewal shall be submitted to the City for its approval.

The policy shall name the City of Vestavia Hills, Alabama, as Owner, and its public officials and employees, and its agents, consultants and employees as additional insureds and state that this coverage shall be primary insurance for the additional insureds.

XI. WORKER'S COMPENSATION

The General Contractor shall carry Worker's Compensation insurance for all of its employees and those of its subcontractors engaged in the work at the site in accordance with the State of Alabama Worker's Compensation Law. This insurance coverage provided by the General Contractor under the Worker's Compensation Act shall provide protection from any and all claims for bodily injury, death or property damage, which may arise from the performance of any servant, agent, employee or other representative of General Contractor or its subcontractors under this agreement. Certificates of insurance issued by competent insurance companies qualified and licensed to do business in the State of Alabama and approved by the City evidencing that all of said subcontractors of the General Contractor are covered by said Worker's Compensation insurance coverage and furnished to the General Contractor and the City by the individual subcontractors shall meet the requirements of this section.

XII. INDEMNITY

The General Contractor shall indemnify and save harmless the City of Vestavia Hills, Alabama, its Mayor, individual members of the City Council, servants, agents, employees or representatives from any and all claims, demands, controversies, actions, causes of action,

liabilities of action, lawsuits, liabilities and damages arising out of or resulting from property damage, personal injury and/or death suffered or alleged to have been suffered by any person as a result for work performed under this contract.

XIII. INDEPENDENT GENERAL CONTRACTOR

The General Contractor is an independent contractor for purposes of this agreement. Nothing contained herein shall be construed to mean that said General Contractor is the servant, agent or employee of the City.

XIV. ASSIGNMENT

This contract shall not be assignable by the General Contractor in any respect without having first obtained the written consent of the City evidenced by a properly enacted resolution of the City Council of the City of Vestavia Hills, Alabama.

XV. PERMITS, LAWS, CODES AND ORDINANCES

The General Contractor shall give all notices required by and comply with all applicable laws, ordinances and codes of the local, state and federal governments.

XVI. BONDS

In accordance with Title 39-1-1, *Code of Alabama, 1975*, the General Contractor agrees to execute a performance bond with penalty equal to one hundred (100%) percent of the amount of the Contract price, and in addition thereto, another bond with good and sufficient surety payable to the City in an amount not less than fifty percent (50%) of the contract price with the obligation that such General Contractor shall promptly make payments to all persons supplying it with the labor, materials, equipment or supplies for and in the prosecution of the work provided for in this Contract and for the payment of reasonable attorney's fees incurred by successful claimants or plaintiffs in civil actions on said bond.

A copy of the said performance bond shall be marked as Exhibit 3, attached hereto and incorporated and made a part of the contract as though set out fully herein. A copy of the labor and material bond shall be designated as Exhibit 4 attached hereto and incorporated and made a part of this contract as though set out fully herein.

XVII. ACCIDENT PREVENTION

The General Contractor shall exercise proper precaution at all times for the protection of persons and property and shall be responsible for all damages to person or property, either on or off the site, which occur as a result of its prosecution of the work. The safety provisions of applicable laws and building and construction codes shall be observed. Machinery, equipment and all hazards shall be guarded in accordance with the safety provisions of the *Manual of Accident Prevention in Construction* published by the Associated General Contractors of America, Inc., to the extent that such provisions are not in conflict with applicable local, state or federal laws.

XVIII. SUBCONTRACTORS

No proposed subcontractor shall be disapproved by the City, except for cause.

The General Contractor shall be fully responsible to the City for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by said subcontractors, as it is for the acts and omissions of persons directly employed by it.

The General Contractor shall cause appropriate provision to be inserted in all subcontracts relative to the work to require compliance by each subcontractor with the applicable provisions of the Contract for the improvements embraced in the project.

Nothing contained in the Contract shall create any contractual relation between any subcontractor and the City.

The General Contractor shall pay all subcontractors for materials and supplies installed in this project by said subcontractors and all work and labor performed by said subcontractors on said project.

XIX. INSPECTION

All materials and workmanship shall be subject to inspection, examination or test by the City at any and all times during installation or construction and at any and all places where such manufacture or construction is carried on. The City shall have the right to reject defective materials and workmanlike and/or require its correction. Unacceptable workmanship shall be satisfactorily corrected. Rejected material shall be promptly segregated and removed from the project area and be replaced with material of specified quality without charge therefor. If the General Contractor fails to proceed at once with the correction of rejected workmanship or defective material, the City may contract for or otherwise have the defects remedied or rejected materials removed from the project area and charge the cost of the same against any moneys which may be due the Contractor, without prejudice to any other rights or remedies of the City.

XX. TERMINATION

The Contract, of which scope of work described in paragraph II hereof form a part, may be annulled by the City for any one of the following reasons:

- A. Substantial evidence that the progress made by the General Contractor is insufficient to complete the work within the specified time.
- B. Deliberate failure on the part of the General Contractor to observe the requirements of this Contract.
- C. Failure on the part of the General Contractor to promptly make good any defects in materials or workmanship that may be indicated to it by the City.
- D. Any other breach of contract by the General Contractor.

XXI. GENERAL GUARANTY BY GENERAL CONTRACTOR

Neither the final certificate of payment nor any provision in the Contract nor partial or entire use of the improvements embraced in this Contract by the City or the public shall constitute an acceptance of work not done in accordance with the Contract or relieve the General Contractor of liability in respect to any express warranties of responsibility for faulty materials or workmanship. The General Contractor shall promptly remedy any defects in the work and pay for any damage to other work resulting therefrom which shall appear within a period of twelve (12) months from the date of final acceptance of the work. The City will give notice of defective material and work with reasonable promptness.

XXII. REMOVAL OF DEBRIS AND CLEANING

The General Contractor shall, periodically or as directed during the progress of the work, remove and legally dispose of all surplus material and debris, and keep the Project Area and public rights of way reasonable clear. Upon completion of the work, it shall remove all temporary construction facilities, debris and unused materials provided for the work, and put the whole site of the work and public rights of way in a neat and clean condition.

XXIII. MISCELLANEOUS

A. Non-Waiver: The failure of the City to insist, in any one or more instances, upon a strict performance of any of the covenants of this contract, or to exercise any option herein contained, shall not be construed as a waiver, or a relinquishment for the future of such covenant or option, but the same shall continue and remain in full force and effect.

B. Waiver of Modification: Any waiver, alteration or modification of any of the provisions of this agreement or cancellation or replacement of this agreement shall not be valid unless in writing and signed by the parties hereto. This agreement may be amended at any time by written agreement of the parties signatory hereto.

C. Notices: Any and all notices required or permitted to be given under this agreement will be sufficient if furnished in writing and sent by Registered Mail to the parties' last known address.

D. Governing Law: This agreement shall be interpreted, construed and governed to the laws of the State of Alabama.

E. Article and Section Headings: The article and section headings and captions contained herein are included for convenience only, and shall not be considered a part hereof or affect in any manner the construction or interpretation hereof.

F. Execution in Counterparts: The contract may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

G. Binding Effect: The contract shall inure to the benefit of, and shall be binding upon City and General Contractor and their heirs, successors and assigns.

H. Severability: In the event any provision of this contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

I. Entire Agreement: This written contract contains the entire agreement between the City and the General Contractor.

IN WITNESS WHEREOF, the City of Vestavia Hills, Alabama and _____ have caused this agreement to be executed by their duly authorized officers and their respective seals to be affixed hereto on this the ____ day of _____, 2022.

CITY OF VESTAVIA HILLS, ALABAMA

By _____
Its Mayor

ATTESTED

By _____

By _____
Its City Manager

ATTESTED

By _____

By _____
Its President

ATTESTED:

By _____

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Ashley Curry, whose name as Mayor of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing contract, and who is known to me, acknowledged before me on this day that, being informed of the contents of the contract, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama.

Given under my hand and official seal, this the ____ day of _____, 2022.

Notary Public

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Jeffrey D. Downes, whose name as City Manager of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing contract, and who is known to me, acknowledged before me on this day that, being informed of the contents of the contract, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama.

Given under my hand and official seal, this the ____ day of _____, 2022.

Notary Public

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that _____ whose name as _____ of _____ is signed to the foregoing contract, and who is known to me, acknowledged before me on this day that, being informed of the contents of the contract, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said _____.

Given under my hand and official seal, this the ____ day of _____, 2022.

Notary Public

ORDINANCE NUMBER 3137

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS AGRICULTURE TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills Agriculture to Vestavia Hills R-2 (medium density residential):

3419 Ronlea Circle
Gladys Bailey, Owner(s)

More particularly described as follows:

Parcel Of Land Located In The Ne 1/4 Of The SW 1 /4 And The SE 1/4 Of The NW 1/4 of Section 23, Township 18 South, Range 2 West, More Particularly Described As Follows:

Commence At A Found 1" Crimp Pipe At The NW Corner Of Lot 24 Of Brentwood Highlands Subdivision Recorded In Map Book 65, Page 22, Jefferson County, Alabama; Thence S 01°02'34" E Along The Westerly Line Of Said Lot 24, 200.00 Feet To A Set 1/2" Capped Rebar (Ca-1158) At The SW Corner Of Said Lot 24 And The Point Of Beginning; Thence N 56°28'39" E Along The South Line Of Lot 24, 150.40 Feet To A Found 1" Crimp Pipe At The SW Corner Of Lot 23; Thence N 56°56'52" E Along The South Line Of Lot 23, 139.81 Feet To A Found 1" Crimp Pipe At The SW Corner Of Lot 22; Thence N 56°54'-28" E Along The South Line Of Lot 22, 49.96 Feet To A Found L" Crimp Pipe; Thence N 50°46'22" E Along The South Line Of Lot 22, 54.86 Feet To A Found 1" Crimp Pipe At The SW Corner Of Lot 21; Thence N 51°04'03" E Along The South Line Of Lot 21, 105.09 Feet To A Found 6" Row Marker On The North Right Of Way Of Interstate ,459; Thence S 41°20'16" W Along Said North Right Of Way, 3.95 Feet To A Found 1/2" Capped Rebar (Ca,817); Thence N 01°02'34" W, 173.68 Feet To The Point Of Beginning. Said Parcel Contajning 0.765 Acres More Or Less.

APPROVED and ADOPTED this the 19th day of November, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

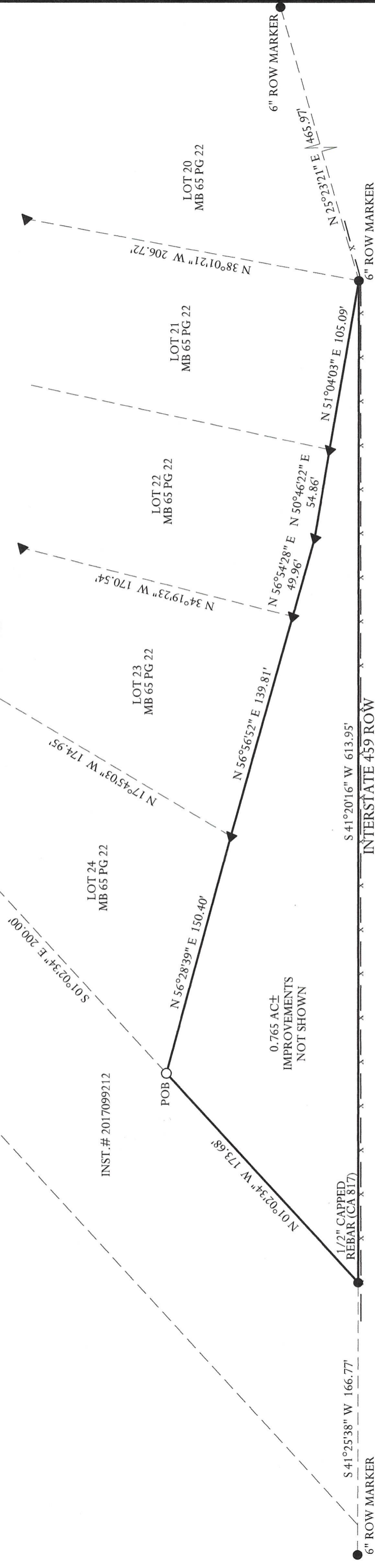
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3137 is a true and correct copy of such 24th day of October, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

LEGAL DESCRIPTION
 A PARCEL OF LAND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4 OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 2 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT A FOUND 1" CRIMP PIPE AT THE NW CORNER OF LOT 24 OF BRENTWOOD HIGHLANDS SUBDIVISION RECORDED IN MAP BOOK 65, PAGE 22, JEFFERSON COUNTY, ALABAMA; THENCE S 01°02'34" E ALONG THE WESTERLY LINE OF SAID LOT 24, 200.00 FEET TO A SET 1/2" CAPPED REBAR (CA-1158) AT THE SW CORNER OF SAID LOT 24 AND THE POINT OF BEGINNING; THENCE N 56°28'39" E ALONG THE SOUTH LINE OF LOT 24, 150.40 FEET TO A FOUND 1" CRIMP PIPE AT THE SW CORNER OF LOT 23; THENCE N 56°56'52" E ALONG THE SOUTH LINE OF LOT 23, 139.81 FEET TO A FOUND 1" CRIMP PIPE AT THE SW CORNER OF LOT 22; THENCE N 56°54'28" E ALONG THE SOUTH LINE OF LOT 22, 49.96 FEET TO A FOUND 1" CRIMP PIPE; THENCE N 50°46'22" E ALONG THE SOUTH LINE OF LOT 22, 54.86 FEET TO A FOUND 1" CRIMP PIPE AT THE SW CORNER OF LOT 21; THENCE N 51°04'03" E ALONG THE SOUTH LINE OF LOT 21, 105.09 FEET TO A FOUND 6" ROW MARKER ON THE NORTH RIGHT OF WAY OF INTERSTATE 459; THENCE S 41°20'16" W ALONG SAID NORTH RIGHT OF WAY, 613.95 FEET TO A FOUND 1/2" CAPPED REBAR (CA-817); THENCE N 01°02'34" W, 173.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 0.765 ACRES MORE OR LESS.



ABBREVIATIONS

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
ROW	RIGHT OF WAY
DB	DEED BOOK
PG	PAGE

LEGEND

○	SET 1/2" CAPPED REBAR (SPS CA-1158LS)
●	FOUND MONUMENTATION
▲	FOUND 1" CRIMP PIPE

NOTES
 1. PURPOSE OF SURVEY: TO SURVEY AND DESCRIBE THE REMAINING PROPERTY OF ROBERT & GLADYS BAILEY AFTER ROW WAS ACQUIRED FOR INTERSTATE 459.
 2. IMPROVEMENTS NOT LOCATED.

SOUTHERN POINT SURVEYING

330 GREGORY ROAD JASPER, AL 35503 (205) 522-6805 WES@SOPOSURV.COM

BOUNDARY SURVEY FOR ROBERT & GLADYS BAILEY		
PART OF THE NE 1/4 OF SW 1/4 & SE 1/4 OF NW 1/4 SECTION 23, T 18S, R 2W JEFFERSON COUNTY, ALABAMA		
DWG NAME: BAILEY 459	JOB No.: 22-107	SCALE: 1"=60'
CRD NAME: BAILEY 459	LAST FIELD SURVEY DATE: 1-2021	
DRAWN BY: WGB	BEARINGS BASED ON STATE PLANE GRID (NAD 83 ALABAMA WEST), VIA RTK GPS	
TYPE OF SURVEY: SUBURBAN		

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.



SURVEYOR'S SIGNATURE: *Wesley Gary Bertoldi*
 WESLEY GARY BERTOLDI, P.L.S.
 ALABAMA LICENSE No: 27167 DATE: 1.24.22



City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-7

Owner Name: GLADYS BAILEY

Owner Address: 3425 RONLEA CIR VESTAVIA AL 35243-1633

Representative: Wes Bertoldi

Rep. Address:

Project Address: 3419 Ronlea Cir

Legal Description: BEG SW COR OF LOT 24 BRENTWOOD HIGHLANDS S 182 S TO N R/W OF I-459 NE 620 S SW 429 S TO P O B

Parcel ID Number: 28 00 23 3 002 008.000

Current Zoning: A

Requested Zoning: R-2

Intended Purpose: Combine parcels to the north

MOTION Mr. Larson made a motion to recommend Rezoning for 3419 Ronlea Cir. from Vestavia Hills A to R-2 as presented. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Honeycutt – yes

Mr. Sykes – yes

Ms. Barnes – yes

Mr. Larson – yes

Mr. Romeo – yes

Mr. Maloof– yes

P&Z Recommendation: Mr. Vercher– yes

Motion carried.

Date of P&Z Meeting: November 10, 2022

Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael Vercher, Chair

Issued by:

Conrad Garrison, City Planner



11/17/2022

RZ-22-7

Rezoning Application

Status: Active

Date Created: Sep 9, 2022

Applicant

Wesley Bertoldi
wes@soposurv.com
399 GREGORY RD
JASPER, AL 35503
2055226805

Primary Location

3425 RONLEA CIR
VESTAVIA HILLS, AL 35243

Owner:

Gladys Bailey
3425 Ronlea Cir Birmingham, AL 35243

Agenda Scheduling Information

Agenda Schedule

November 2022

Comment/Reschedule/Delay & Reason

--

Property Information

Subject Property Address

3419 Ronlea Cir

Tax Parcel ID Number

28 00 23 3 002 008.000

Legal Description

BEG SW COR OF LOT 24 BRENTWOOD HIGHLANDS S 182 S TO N R/W OF I-459 NE 620 S SW 429 S TO P O B

Existing Parking Spaces

--

Proposed Parking Spaces

--

Submission Date

09/09/2022

Type of Project

New Residential Subdivision

Action Requested:

From Existing Zoning Classification

A

To Requested Zoning Classification

R-2

For the Intended Purpose of:

Combine parcels to the north

Acreage of Subject Property

0.765

Acreage of Property to be Disturbed

0

Setbacks

Front

--

Back

--

Side

--

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

GLADYS BAILEY

Company Name

--

Owner Address City State Zip

3425 RONLEA CIR VESTAVIA AL 35243-1633

Owner's Phone Number

205-9605910

Email Address of Owner

RBAILEY@CHARTER.NET

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

**Owner Representative/Responsible Party**

Wes Bertoldi

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

wes@soposurv.com

Project Engineer Information (if applicable)**Name**

--

Company

--

Mailing Address

--

Phone Number

--

Email

--

Internal Reviews**Date of P&Z Meeting**

11/10/2022

P&Z Recommendation & Vote

MOTION Mr. Larson made a motion to recommend Rezoning for 3419 Ronlea Cir. from Vestavia Hills A to R-2 as presented. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

RESOLUTION NUMBER 5428

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated June 20, 2022, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 19th day of December, 2022; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 21st day of December, 2022.

2. That on the 27th day of March, 2023, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5428 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2608 Rillwood Road
Lot 9, Altadena Park
Andrew and Marie Davis, Owner(s)

APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

PARCEL #: 28 00 28 4 001 014.000
OWNER: DAVIS ANDREW & MARIE
ADDRESS: 2608 RILLWOOD RD VESTAVIA AL 35243-2219
LOCATION: 2608 RILLWOOD RD BHAM AL 35243

[111-B+] Baths: 4.5 H/C Sqft: 3,015
 18-013.0 Bed Rooms: 4 Land Sch: A414
 Land: 202,400 Imp: 327,400 Total: 529,800
 Acres: 0.000 Sales Info: 07/27/2021 \$565,100

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2022 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$527,300.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$202,350
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3

BLDG 001 111 \$327,400

TOTAL MARKET VALUE [APPR. VALUE: \$529,800]: \$529,750

Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$52,980	\$344.37	\$0	\$0.00	\$344.37
COUNTY	3	2	\$52,980	\$715.23	\$0	\$0.00	\$715.23
SCHOOL	3	2	\$52,980	\$434.44	\$0	\$0.00	\$434.44
DIST SCHOOL	3	2	\$52,980	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$52,980	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$52,980	\$270.20	\$0	\$0.00	\$270.20
SPC SCHOOL2	3	2	\$52,980	\$890.06	\$0	\$0.00	\$890.06

TOTAL FEE & INTEREST: (Detail) \$654.28

ASSD. VALUE: \$52,980.00

\$2,654.30

GRAND TOTAL: \$3,308.58

Payoff Quote

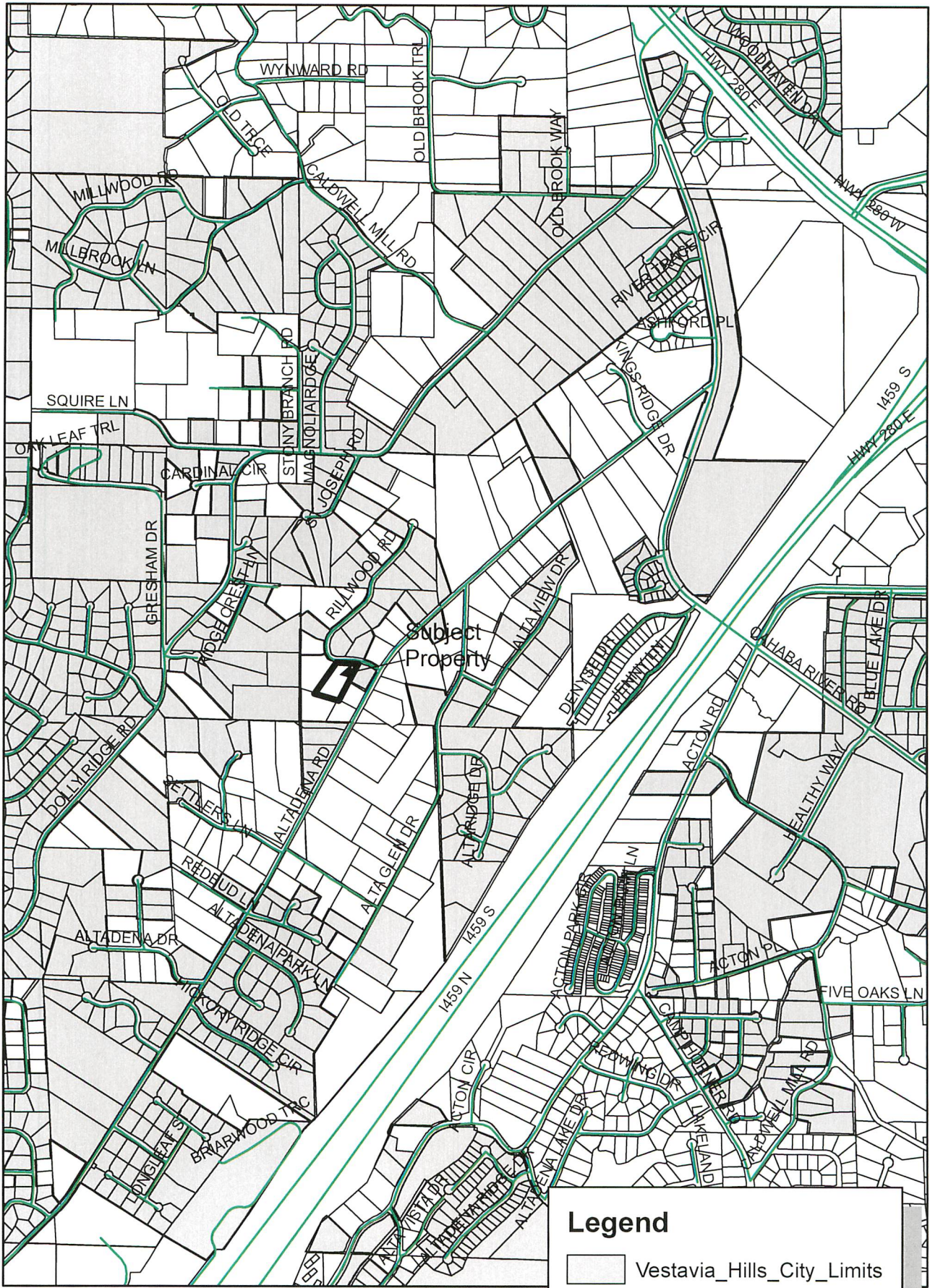
DEEDS

INSTRUMENT NUMBER	DATE
2021086713	7/27/2021
2017109066	9/19/2017
3630-786	03/28/1989
842-643	03/28/1989

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2022		\$0.00
5/18/2022	2021	IRON CITY CONSTRUCTION LLC	\$5,548.43
12/16/2020	2020	JODY PORTER	\$2,626.68
12/23/2019	2019	JODY PORTER	\$1,970.75
	2018		\$0.00
	2017		\$0.00
12/27/2016	2016	JODY PORTER	\$2,013.48
12/28/2015	2015	JODY PORTER	\$2,013.48
	2014		\$0.00

2608 Rillwood Road



**City of Vestavia Hills
Tax Calculator
Homestead Properties**

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2608 Rillwood Rd	Property Address	
====>	\$ 529,800	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$52,980.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$1,088.74	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$1,523.18	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$2,611.91	Total County remits to City for split with BOE	CITY	
\$800.00	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$434.44	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$1,088.74	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$2,757.61	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$3,846.35	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

Annexation Committee Petition Review

Property: 2608 Rillwood Road

Owners: Andrew Davis

Date: 12/02/2022

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$529,800. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 18 Number in city 11
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2608 Rillwood Road

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ will be paid to offset costs associated with the annexation.
Yes No Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No Comment _____

10. Are there any concerns from city departments?
Yes No Comments: _____
Active Construction - monitor Stormwater BMP

11. Information on children: Number in family _____; Plan to enroll in VH
schools Yes No Comments: _____

Other Comments: Recently Renovated - on market



George Pierce
Chairman



City of Vestavia Hills, AL

11/01/2022

ANX-22-1

Engineering/Public Works Review

Annexation Application

Status: Complete**Became Active:** 10/11/2022**Assignee:** Christopher Brady**Completed:** 10/31/2022

Applicant

Andrew Davis
andy.ironcity@gmail.com
2608 Rillwood Road
Vestavia Hills, AL 35243
205-790-5778

Primary Location

2608 RILLWOOD RD
VESTAVIA HILLS, AL 35243

Comments

Christopher Brady, Oct 31, 2022 at 2:54pm

minor concerns noted related to active construction and lack of bmp protection; will check permit status with Jefferson County and coordinate final reviews and inspections; roadway and valley gutter is in fair condition; the City currently has a split maintenance responsibility with Jefferson County for this section of roadway.



City of Vestavia Hills, AL

11/01/2022

ANX-22-1

Board of Education Review

Annexation Application

Status: Complete

Assignee: Scott Brown

Became Active: 10/11/2022

Completed: 11/01/2022

Applicant

Andrew Davis
andy.ironcity@gmail.com
2608 Rillwood Road
Vestavia Hills, AL 35243
205-790-5778

Primary Location

2608 RILLWOOD RD
VESTAVIA HILLS, AL 35243

Comments

Scott Brown, Nov 1, 2022 at 1:30pm

No Objection



11/01/2022

ANX-22-1

Annexation Application

Status: Active**Date Created:** Oct 10, 2022

Applicant

Andrew Davis
andy.ironcity@gmail.com
2608 Rillwood Road
Vestavia Hills, AL 35243
205-790-5778

Primary Location

2608 RILLWOOD RD
VESTAVIA HILLS, AL 35243

Owner Information

Owner's Name

Andrew and Marie Davis

Owner Mailing Address Inc. City, State, Zip

2427 Dolly Ridge Road Vestavia Hills AL 35243

Property Information

Address of Property to be annexed?

2608 Rillwood Road

Legal Description of Property to be Annexed

Lot 9, Altadena Park

County Location of Property:

Jefferson County

Tax Parcel ID Number (if known)

28-00-28-4-001-014.000

County Zoning Classification

Jefferson County E-1

Is this annexation for redevelopment?

No

Compatible City Zoning Classification

Vestavia Hills E-2

Desired Zoning Classification

Vestavia Hills E-2

Is this a single-family residence with no additional development?

Yes

Annexation Request Information

Please Explain your reason for requesting annexation?

Recently purchased property; desirous if having in the City

Are you located in the Rocky Ridge Fire District?

Yes

Information on Children

Name of Child

Charles Davis

Age of Child

6

School Grade of Child

Kindergarten

Plan to Enroll in Vestavia Hills School within 2 years?

Yes

Name of Child

Caroline Davis

Age of Child

3

School Grade of Child

n/a




Plan to Enroll in Vestavia Hills Schools within 2 years?

no










Addition children information

--

Attachments

-  2608 Rillwood Road.pdf
Uploaded by Rebecca Leavings on Oct 10, 2022 at 8:47 am
-  map.pdf
Uploaded by Rebecca Leavings on Oct 10, 2022 at 8:47 am
-  2608 Rillwood Road.pdf
Uploaded by Rebecca Leavings on Oct 10, 2022 at 8:47 am

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
Custom Payment	Waived	Oct 10, 2022 at 8:47 am	Oct 10, 2022 at 8:50 am	-	-
 City Clerk Receipt	Complete	Oct 10, 2022 at 8:47 am	Oct 11, 2022 at 2:04 pm	Rebecca Leavings	-
 Public Services Director Review	Complete	Oct 11, 2022 at 2:04 pm	Oct 11, 2022 at 2:07 pm	Brian Davis	11/01/2022
 Police Department Review	Complete	Oct 11, 2022 at 2:04 pm	Oct 12, 2022 at 7:07 am	Joel Gaston	11/01/2022
 Fire Department Review	Complete	Oct 11, 2022 at 2:04 pm	Oct 28, 2022 at 3:22 pm	Ryan Farrell	11/01/2022
 Engineering/Public Works Review	Complete	Oct 11, 2022 at 2:04 pm	Oct 31, 2022 at 2:54 pm	Christopher Brady	11/01/2022
 Board of Education Review	Complete	Oct 11, 2022 at 2:04 pm	Nov 1, 2022 at 1:30 pm	Scott Brown	11/01/2022
 Prepare for Annexation Committee	Active	Nov 1, 2022 at 1:30 pm	-	Rebecca Leavings	-
 Council Approval	Inactive	-	-	-	-
 Apply for Rezoning	Inactive	-	-	-	-

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 6/26/2022

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Andy Davis

205-770-5778

andy.ironcity@gmail.com

Marc Davis

334-657-9047

mnpuertt86@gmail.com

EXHIBIT "A"

LOT: 9 Altadena Pk 2nd S 28-28-4

BLOCK: _____

SURVEY: lot 9 Altadena Pk 2nd Sect 82/18

RECORDED IN MAP BOOK 82, PAGE 18 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: Class 2 02 County

COMPATIBLE CITY ZONING: Estate, Vestavia

LEGAL DESCRIPTION (METES AND BOUNDS):

X

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>[Signature]</u>	Lot <u>9</u> Block _____ Survey <u>PK 2nd Sect 82/18</u>
<u>Maree Dany</u>	Lot <u>9</u> Block _____ Survey <u>PK 2nd Sect 82/18</u>
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

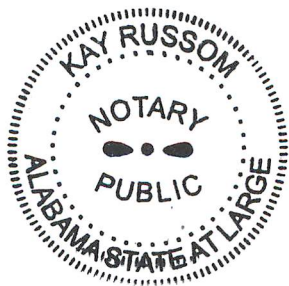
Jefferson COUNTY

[Signature] being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]
Signature of Certifier

Subscribed and sworn before me this the 20th day of June, 2022

Kay Russon
Notary Public



My commission expires: November 8, 2024

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Andy & Marie Davis
Address: ~~2427 Dolly Ridge Rd~~ 2608 Rillwood Rd
City: Vestavia State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Charles Davis	6	Kindergarten	✓	
2.	Caroline Davis	3			✓
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": August 10 - Dolly Ridge

Curathy owns home at 2427 Dolly Ridge Rd
Zoned for Dolly Ridge Elementary

ORDINANCE NUMBER 3140

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Andrew and Marie Davis dated June 20, 2022, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2608 Rillwood Road
Lot 9, Altadena Park
Andrew and Marie Davis

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

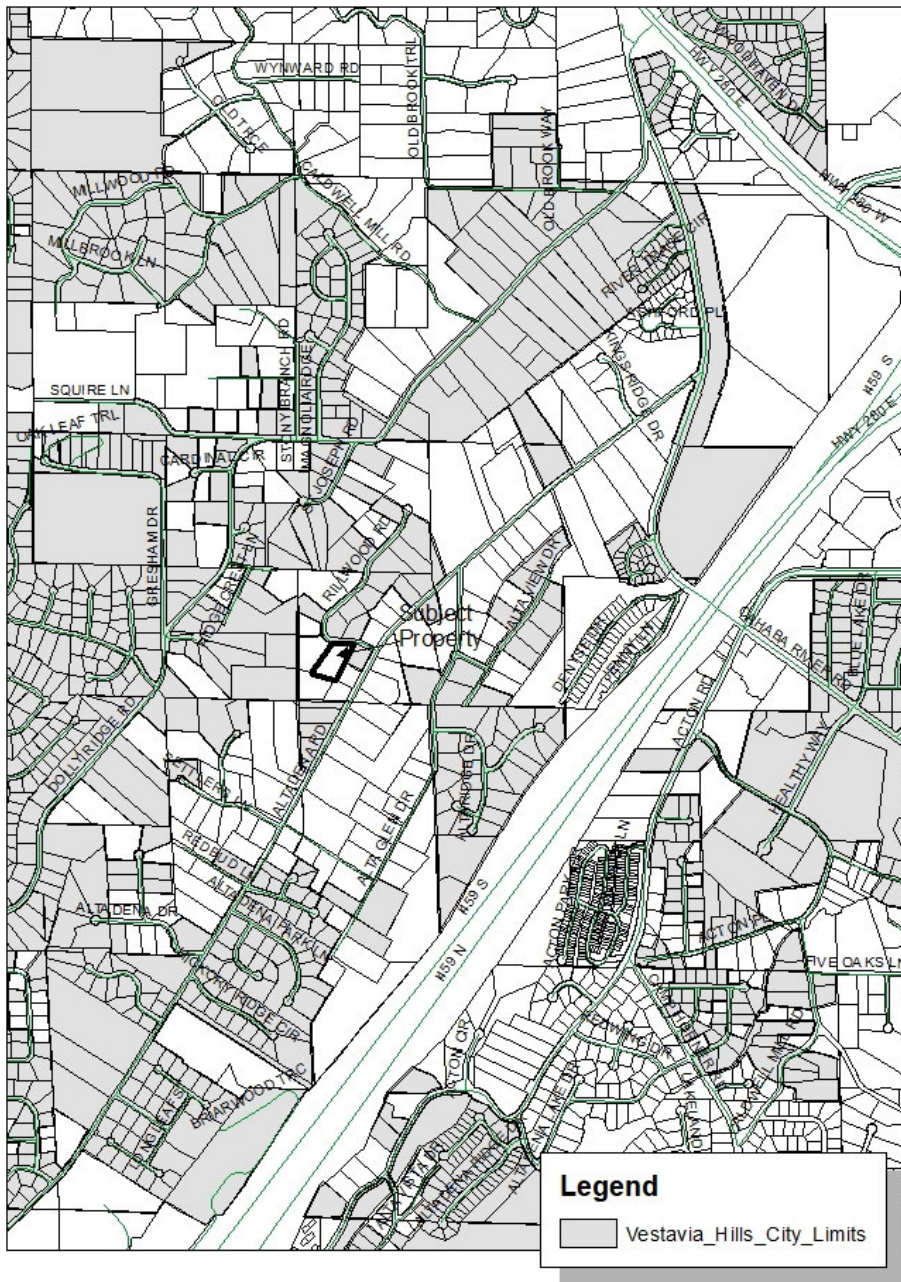
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3140 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 19th day of December, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

2608 Rillwood Road



RESOLUTION NUMBER 5429

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated June 22, 2022, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 19th day of December, 2022; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 21st day of December 2022.

2. That on the 27th day of March, 2023, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5429 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2594 Acton Road
Lot 2, Altadena Valley Country Club, Fairway Sector
Al and Patricia Foster, Owner(s)

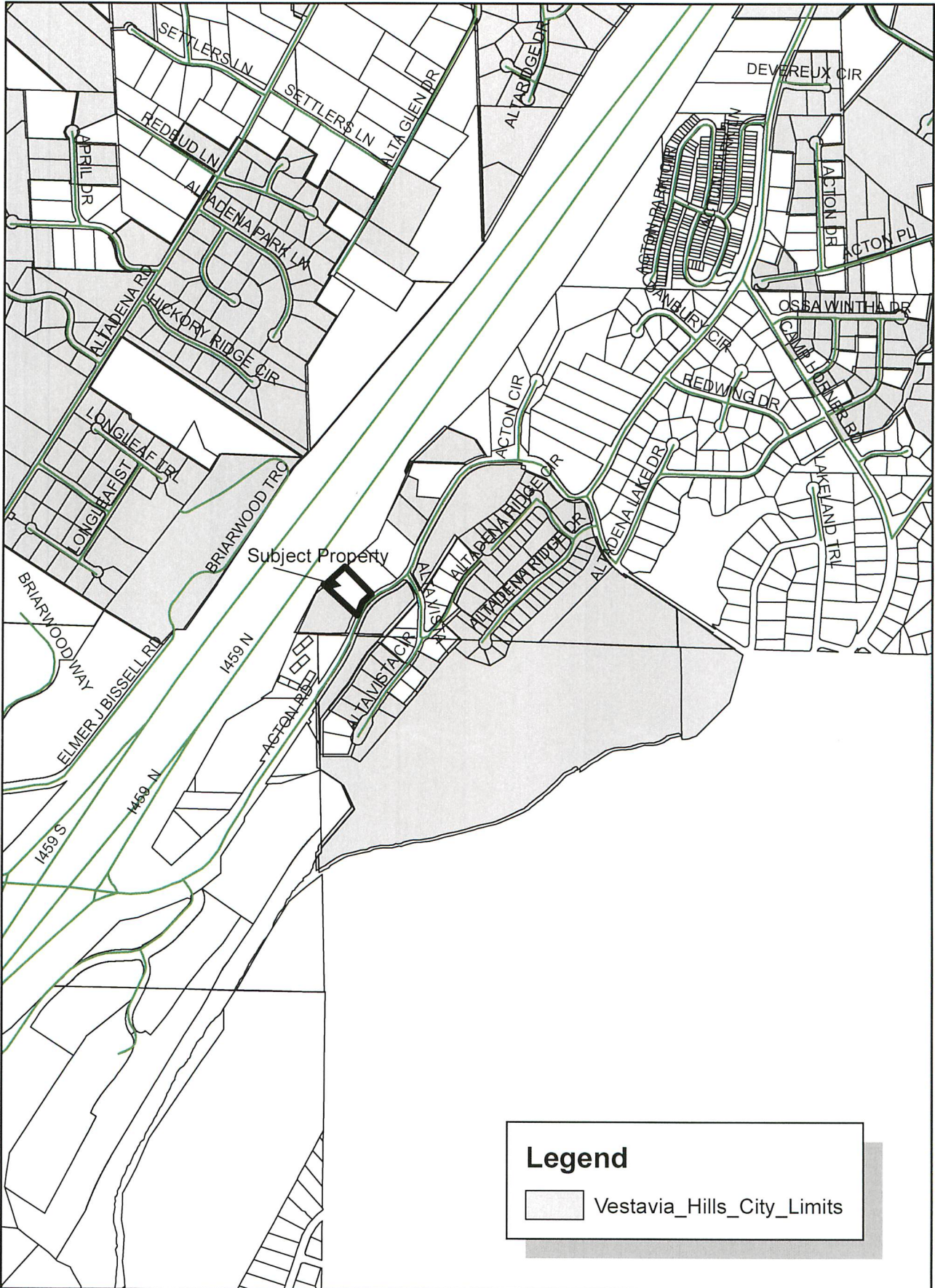
APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

2594 Acton Road



PARCEL #: 28 00 33 4 001 005.000
OWNER: FOSTER AL & PATRICIA
ADDRESS: 2594 ACTON ROAD VESTAVIA HILLS AL 35243
LOCATION: 2594 ACTON RD BIRMINGHAM AL 35243

[111-B-] Baths: 3.0 H/C Sqft: 3,559
 18-036.0 Bed Rooms: 4 Land Sch: A116
 Land: 50,000 Imp: 284,800 Total: 334,800
 Acres: 0.000 Sales Info: 08/13/2021 \$250,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2022 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 2 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$283,100.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$0
 LAND VALUE 20% \$50,020
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2
 GARAGE WD. FR. 24WFSMN \$4,200
 BLDG 001 111 \$280,600

CLASS 3

TOTAL MARKET VALUE [APPR. VALUE: \$334,800]: \$334,820

Assesment Override: _____
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	2	\$66,960	\$435.24	\$0	\$0.00	\$435.24
COUNTY	2	2	\$66,960	\$903.96	\$0	\$0.00	\$903.96
SCHOOL	2	2	\$66,960	\$549.07	\$0	\$0.00	\$549.07
DIST SCHOOL	2	2	\$66,960	\$0.00	\$0	\$0.00	\$0.00
CITY	2	2	\$66,960	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	2	\$66,960	\$341.50	\$0	\$0.00	\$341.50
SPC SCHOOL2	2	2	\$66,960	\$1,124.93	\$0	\$0.00	\$1,124.93

ASSD. VALUE: \$66,960.00 **\$3,354.70** **GRAND TOTAL: \$3,354.70**

Payoff Quote

DEEDS

INSTRUMENT NUMBER	DATE
2021098012	8/13/2021
2021034688	3/26/2021
2019099137	9/16/2019
2019099136	9/16/2019
2019070451	7/12/2019
2019027802	3/19/2019
2276-419	12/28/1982

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2022		\$0.00
12/9/2021	2021	FOSTER ALAN N & FOSTER PATRICIA C	\$2,836.66
5/28/2021	2020	CTL8 LLC TESCO CUSTODIAN	\$73,463.34
	2019		\$0.00
	2018		\$0.00
	2017		\$0.00
	2016		\$0.00
	2015		\$0.00
	2014		\$0.00

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit - Resolution No. 5429
2594 Acton Road

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2594 Acton Road	Property Address	
====>	\$ 334,800	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$33,480.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$688.01	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$962.55	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,650.56	Total County remits to City for split with BOE	CITY	
\$505.55	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$274.54	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$688.01	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,742.63	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$2,430.65	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

Annexation Committee Petition Review

Property: 2594 Acton Road

Owners: Alan and Patricia Foster

Date: 12/02/2022

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$334,800. Meets city criteria: Yes No close
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes N/A Number in city _____
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2594 Acton Road

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes No Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No Comment _____

10. Are there any concerns from city departments?
Yes No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH
schools Yes No Comments: _____

Other Comments: _____



George Pierce
Chairman



City of Vestavia Hills, AL

11/01/2022

ANX-22-2

Engineering/Public Works Review

Annexation Application

Status: Complete

Became Active: 10/11/2022

Assignee: Christopher Brady

Completed: 10/31/2022

Applicant

Alan Foster
altriciafoster@gmail.com
2594 Acton Road
Birmingham, AL 35243
205-807-3904

Primary Location

2594 ACTON RD
Vestavia Hills, AL 35243

Comments

Christopher Brady, Oct 31, 2022 at 2:55pm

no significant concerns noted; Acton Road is a Jefferson County Through Road



City of Vestavia Hills, AL

11/01/2022

ANX-22-2

Board of Education Review

Annexation Application

Status: Complete

Became Active: 10/11/2022

Assignee: Scott Brown

Completed: 11/01/2022

Applicant

Alan Foster
altriciafoster@gmail.com
2594 Acton Road
Birmingham, AL 35243
205-807-3904

Primary Location

2594 ACTON RD
Vestavia Hills, AL 35243

Comments

Scott Brown, Nov 1, 2022 at 1:27pm

No objection



City of Vestavia Hills, AL

11/01/2022

ANX-22-2**Annexation Application****Status:** Active**Date Created:** Oct 10, 2022**Applicant**Alan Foster
altriciafoster@gmail.com
2594 Acton Road
Birmingham, AL 35243
205-807-3904**Primary Location**2594 ACTON RD
Vestavia Hills, AL 35243**Owner Information****Owner's Name**

Alan and Patricia Foster

Owner Mailing Address Inc. City, State, Zip

2594 Acton Road, Vestavia Hills AL 35243

Property Information**Address of Property to be annexed?**

2594 Acton Road

Legal Description of Property to be Annexed

Lot 2, Altadena Valley Country Club Fairway Sector

County Location of Property:

Jefferson County

Tax Parcel ID Number (if known)

28-00-33-4-001-005.000

County Zoning Classification

JC A-1

Is this annexation for redevelopment?

No

Compatible City Zoning Classification

VH A

Desired Zoning Classification

--

Is this a single-family residence with no additional development?

Yes

Annexation Request Information**Please Explain your reason for requesting annexation?**

n/a

Are you located in the Rocky Ridge Fire District?

Yes

Information on Children

Name of Child

na

Age of Child

--

School Grade of Child

--

Plan to Enroll in Vestavia Hills School within 2 years?

--

Name of Child

--

Age of Child

--

School Grade of Child

--











Plan to Enroll in Vestavia Hills Schools within 2 years?

--

Addition children information

--

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Custom Payment	Paid	Oct 10, 2022 at 8:59 am	Oct 10, 2022 at 8:59 am	-	-
 City Clerk Receipt	Complete	Oct 10, 2022 at 8:59 am	Oct 11, 2022 at 2:07 pm	Rebecca Leavings	-
 Police Department Review	Complete	Oct 11, 2022 at 2:07 pm	Oct 12, 2022 at 7:06 am	Joel Gaston	10/31/2022
 Public Services Director Review	Complete	Oct 11, 2022 at 2:07 pm	Oct 12, 2022 at 10:49 am	Brian Davis	10/31/2022
 Fire Department Review	Complete	Oct 11, 2022 at 2:07 pm	Oct 28, 2022 at 3:24 pm	Ryan Farrell	10/31/2022
 Engineering/Public Works Review	Complete	Oct 11, 2022 at 2:07 pm	Oct 31, 2022 at 2:55 pm	Christopher Brady	10/31/2022
 Board of Education Review	Complete	Oct 11, 2022 at 2:07 pm	Nov 1, 2022 at 1:27 pm	Scott Brown	10/31/2022
 Prepare for Annexation Committee	Active	Nov 1, 2022 at 1:27 pm	-	Rebecca Leavings	-
 Council Approval	Inactive	-	-	-	-
 Apply for Rezoning	Inactive	-	-	-	-

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE

CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: June 22, 2022

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Al Foster 205-807-3904
Patricia Fester 205-807-7872
altricia.foster@gmail.com

EXHIBIT "A"

LOT: 2 Attadena Country Club Fairway Sector

BLOCK: _____

SURVEY: _____

RECORDED IN MAP BOOK 64, PAGE 25 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: Agricultural

COMPATIBLE CITY ZONING: R-2

LEGAL DESCRIPTION (METES AND BOUNDS):

Lot 2 according to the Map of Attadena Country Club Fairway Sector as recorded in Map book 64 Page 25 in the Probate Office of Jefferson County, Alabama. Less and except any part laying within the Right of Way of U.S. Interstate # 459.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Alan N. Foster Lot 2 Block _____ Survey Altadena Country Club, Sector
Patricia Fester Lot 2 Block _____ Survey "
_____ Lot _____ Block _____ Survey _____
Fairway

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Patricia Fester being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Patricia C. Fester
Signature of Certifier

Subscribed and sworn before me this the 22nd day of June, 2022.

Wendy Muths
Notary Public

My commission expires: 2/17/26

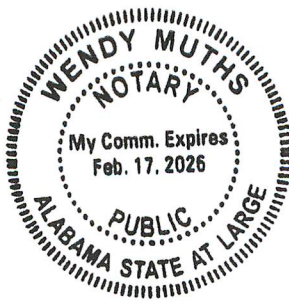


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
 Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____
 Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Alan Foster / Patricia Foster
 Address: 2594 Acton Road
 City: Birmingham State: Al Zip: 35243

Information on Children:

None

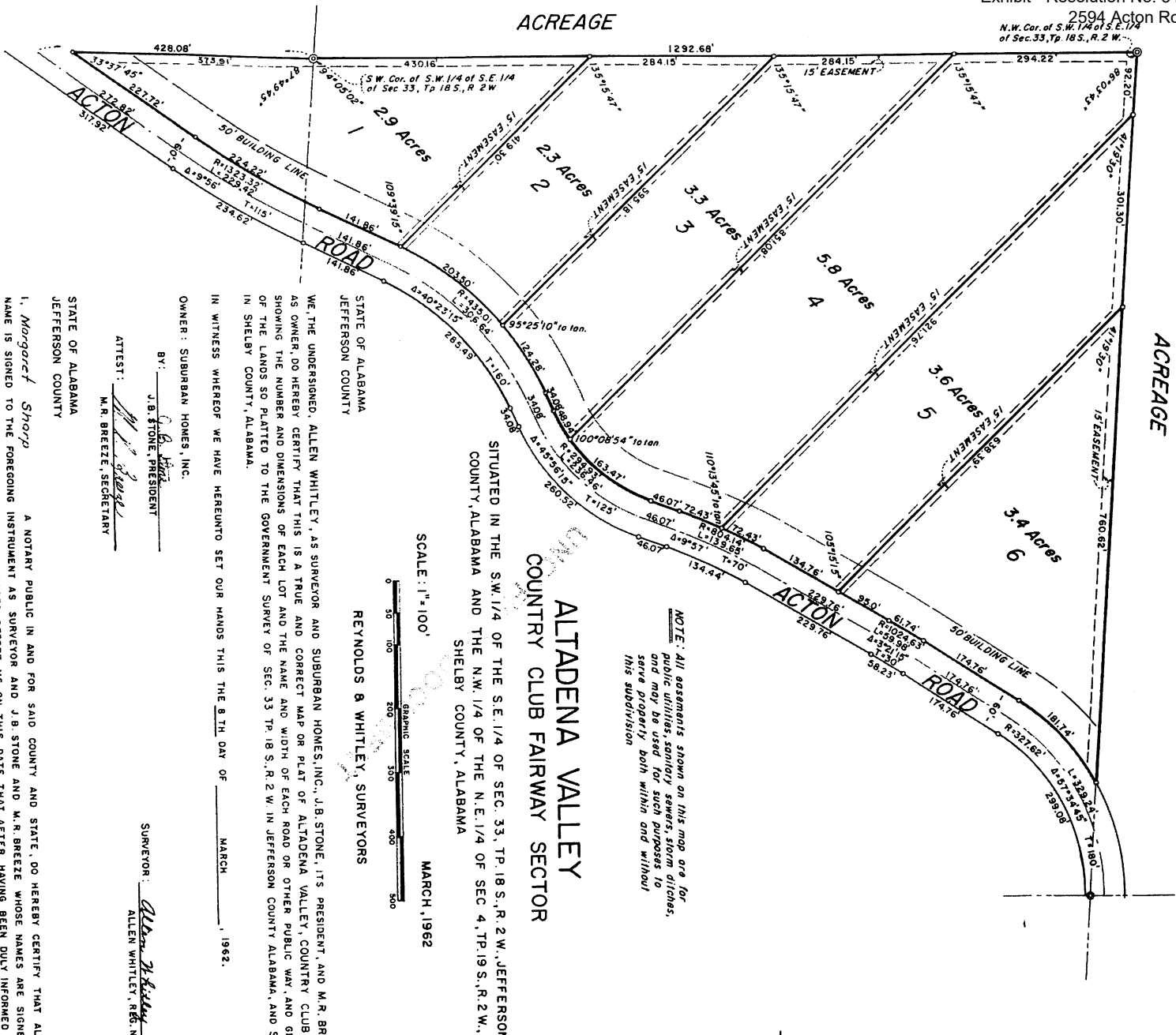
**Plan to Enroll In
 Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". _____

2594 Acton Road

N.W. Cor. of S.W. 1/4 of S.E. 1/4 of Sec. 33, T.P. 18 S., R. 2 W.



ACREAGE

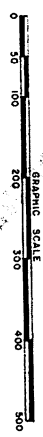
ACREAGE

NOTE: All easements shown on this map are for public utilities, sanitary sewers, storm drains, and may be used for such purposes to serve property both within and without this subdivision

ALTADENA VALLEY
COUNTRY CLUB FAIRWAY SECTOR

SITUATED IN THE S.W. 1/4 OF THE S.E. 1/4 OF SEC. 33, T.P. 18 S., R. 2 W., JEFFERSON COUNTY, ALABAMA AND THE N.W. 1/4 OF THE N.E. 1/4 OF SEC. 4, T.P. 19 S., R. 2 W., SHELBY COUNTY, ALABAMA

SCALE: 1" = 100'



REYNOLDS & WHITLEY, SURVEYORS

MARCH, 1962

WE, THE UNDERSIGNED, ALLEN WHITLEY, AS SURVEYOR AND SUBURBAN HOMES, INC., J.B. STONE, ITS PRESIDENT, AND M.R. BREEZE, ITS SECRETARY, AS OWNER, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT MAP OR PLAN OF ALTADENA VALLEY, COUNTRY CLUB FAIRWAY SECTOR, SHOWING THE NUMBER AND DIMENSIONS OF EACH LOT AND THE NAME AND WIDTH OF EACH ROAD OR OTHER PUBLIC WAY, AND GIVING THE RELATIONSHIP OF THE LANDS SO PLATTED TO THE GOVERNMENT SURVEY OF SEC. 33, T.P. 18 S., R. 2 W. IN JEFFERSON COUNTY ALABAMA, AND SEC. 4, T.P. 19 S., R. 2 W. IN SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS THE 8TH DAY OF MARCH, 1962.

OWNER: SUBURBAN HOMES, INC.

BY: J.B. STONE, PRESIDENT

ATTEST: M.R. BREEZE, SECRETARY

SURVEYOR: ALLEN WHITLEY, R65 NO. 3943

STATE OF ALABAMA
JEFFERSON COUNTY

I, *Margaret Sharp*, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT ALLEN WHITLEY, WHOSE NAME IS SIGNED TO THE FOREGOING INSTRUMENT AS SURVEYOR AND J.B. STONE AND M.R. BREEZE WHOSE NAMES ARE SIGNED TO THE SAME AS OWNERS, AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED SAME VOLUNTARILY AS SUCH INDIVIDUALS WITH FULL AUTHORITY FOR AND AS THE ACT OF SAME.

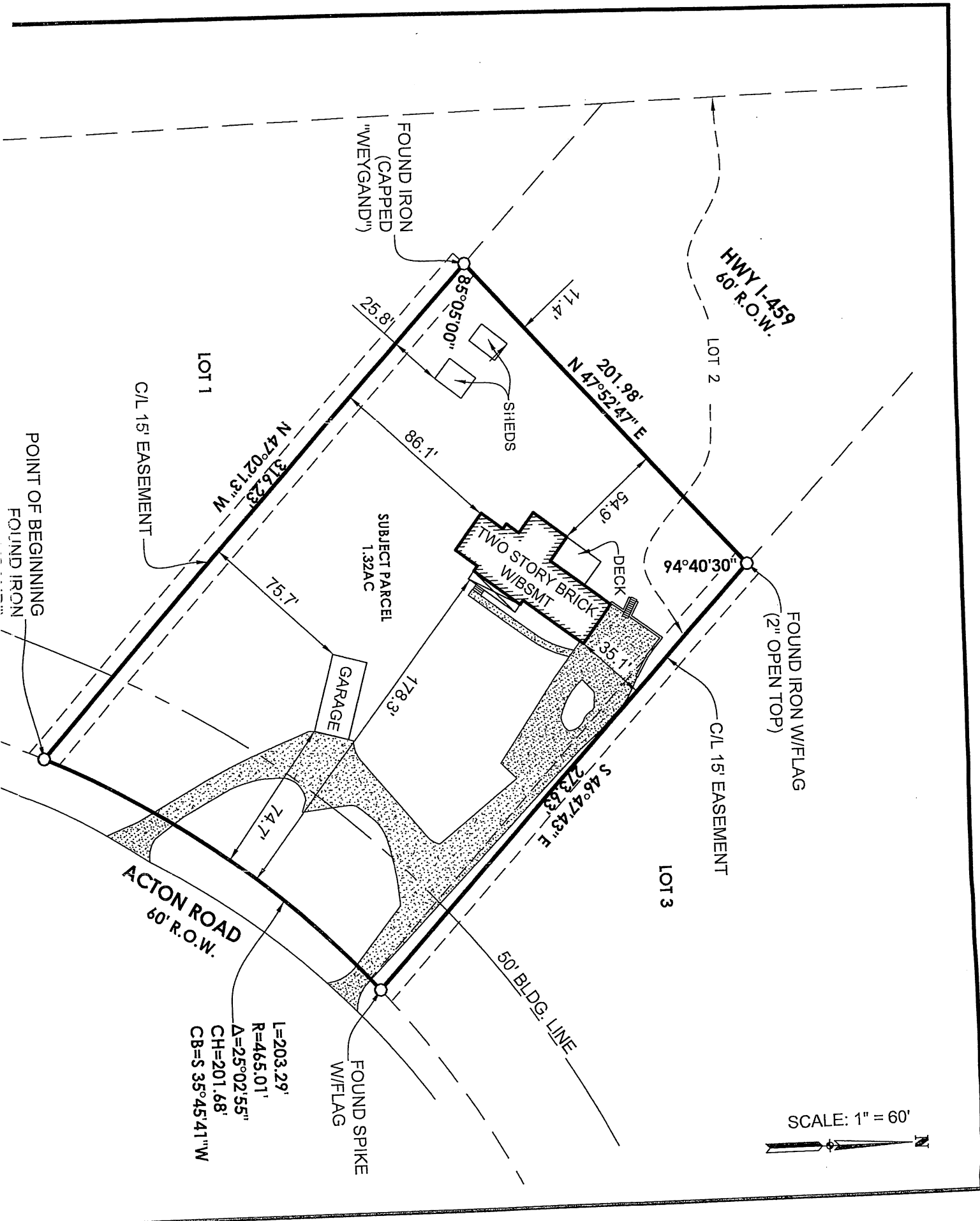
GIVEN UNDER MY HAND AND SEAL THIS THE 8TH DAY OF MARCH, 1962.

NOTARY PUBLIC

APPROVED: *W. C. ...* 26 March 1962
COUNTY ENGINEER

APPROVED: *...*
JEFFERSON COUNTY PLANNING COMMISSION





SCALE: 1" = 60'

ORDINANCE NUMBER 3141

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Al and Patricia Foster dated June 22, 2022, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2594 Acton Road
Lot 2, Altadena Valley Country Club, Fairway Sector
Al and Patricia Foster

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3141 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 19th day of December, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

2594 Acton Road



RESOLUTION NUMBER 5430

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated October 5, 2022, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 19th day of December, 2022; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 21st day of December, 2022.

2. That on the 27th day of March, 2023, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5430 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2401 Rocky Ridge Road
Lot 9, Buckhead, 1st Sector
Charles Kessler, Owner(s)

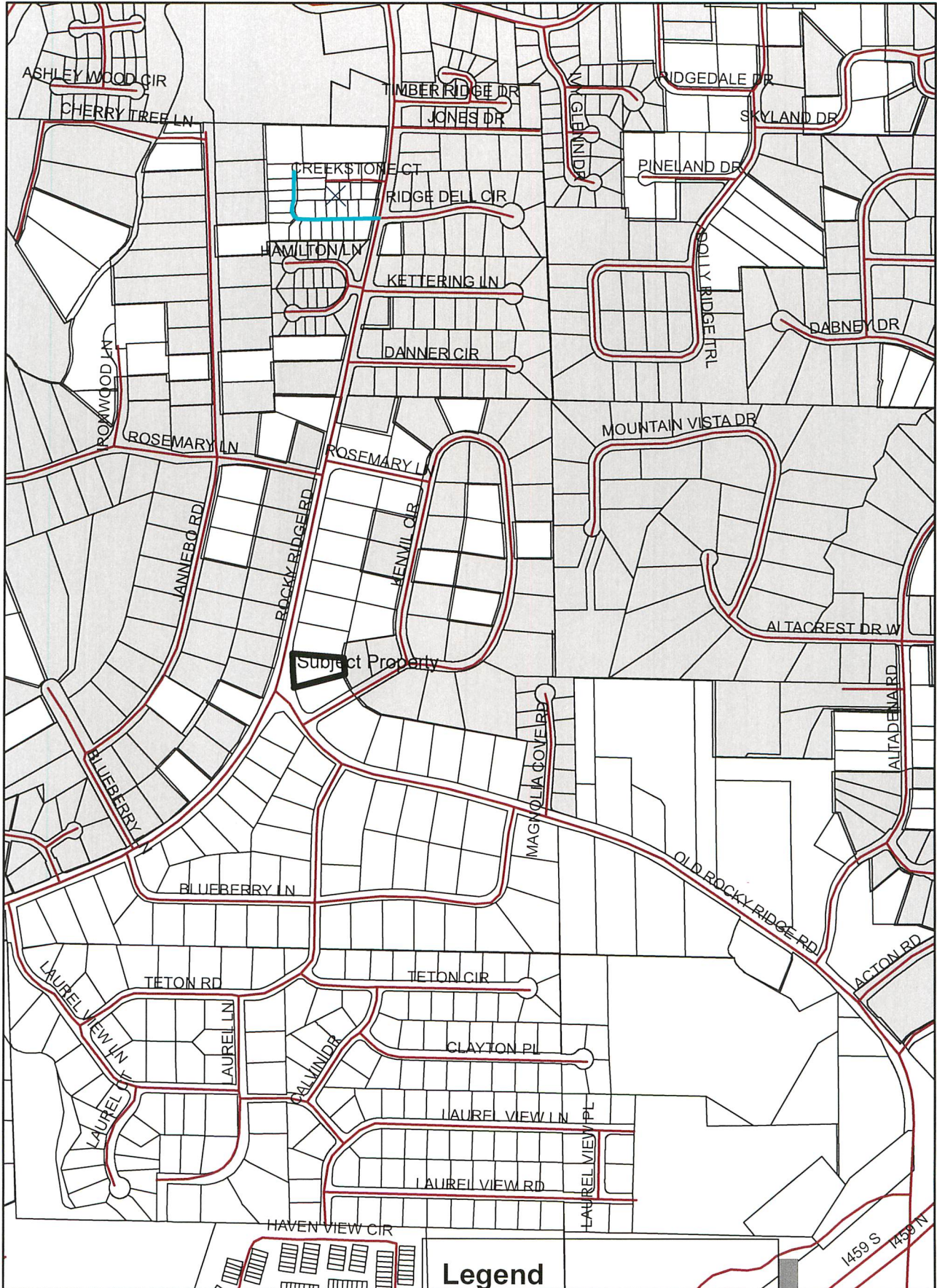
APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor


ATTESTED BY:

Rebecca Leavings
City Clerk

2401 Rocky Ridge Road



Legend

 Vestavia_Hills_City_Limits

PARCEL #: 40 00 05 2 007 007.000
OWNER: TYCON LLC & KARTOS FAMILY LLC
ADDRESS: 513 SEVEN OAKS PARK BIRMINGHAM AL 35242
LOCATION: 2401 ROCKY RIDGE RD BHAM AL 35243

2401 Rocky Ridge Road
[111-D0] Baths: **1.0** H/C Sqft: **1,281**
18-015.0 Bed Rooms: **3** Land Sch: **G1**
 Land: **137,000** Imp: **105,000** Total: **242,000**
 Acres: **0.000** Sales Info: **09/18/2019 \$120,000**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2022 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 2 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$236,400.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$0
 LAND VALUE 20% \$137,000
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2
 BLDG 001 111 \$105,000

CLASS 3

 TOTAL MARKET VALUE [APPR. VALUE: \$242,000]: \$242,000
 Assessment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	2	\$48,400	\$314.60	\$0	\$0.00	\$314.60
COUNTY	2	2	\$48,400	\$653.40	\$0	\$0.00	\$653.40
SCHOOL	2	2	\$48,400	\$396.88	\$0	\$0.00	\$396.88
DIST SCHOOL	2	2	\$48,400	\$0.00	\$0	\$0.00	\$0.00
CITY	2	2	\$48,400	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	2	\$48,400	\$246.84	\$0	\$0.00	\$246.84
SPC SCHOOL2	2	2	\$48,400	\$813.12	\$0	\$0.00	\$813.12
TOTAL FEE & INTEREST: (Detail)							\$524.01
ASSD. VALUE: \$48,400.00			\$2,424.84		GRAND TOTAL: \$2,948.85		

Payoff Quote

DEEDS

INSTRUMENT NUMBER	DATE
2019099989	9/18/2019
201414 12781	3/8/2013
200004-8655	04/10/2000

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2022		\$0.00
5/13/2022	2021	PETROS KARTOS	\$2,980.66
11/19/2020	2020	KARTOS FAMILY LLC	\$1,755.50
7/7/2020	2019	ATCF II ALABAMA LLC TAXSERV CUST	\$48,288.46
12/7/2018	2018	CORELOGIC INC	\$1,773.54
11/17/2017	2017	CORE LOGIC INC	\$1,719.43
11/21/2016	2016	CORELOGIC	\$1,649.29
12/1/2015	2015	CORELOGIC INC	\$1,649.29
12/2/2014	2014	CORELOGIC INC	\$802.70

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit - Resolution No. 5430
2401 Rocky Ridge Road

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

			Citizen Access Portal Descriptor	Notes
====>	2401 Rocky Ridge Road	Property Address		
====>	\$ 242,000	Appraised Value of Property	TOTAL MARKET VALUE	
	10%	Assessment Homestead Rate		
	\$24,200.00	Assessed Value	ASSD. VALUE	

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$497.31	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$695.75	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,193.06	Total County remits to City for split with BOE	CITY	
\$365.42	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$198.44	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$497.31	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,259.61	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$1,756.92	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

Annexation Committee Petition Review

Property: 2401 Rocky Ridge Road

Owners: Charles and Jason Kessler

Date: 12/02/2022

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$242,000. Meets city criteria: Yes No
Comment: Recently renovated - Marketed @ \$500,000
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes N/A Number in city _____
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2401 Rocky Ridge Road

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes No Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No Comment _____

10. Are there any concerns from city departments?
Yes No Comments: _____

11. Information on children: Number in family 2/1/1; Plan to enroll in VH
schools Yes No Comments: _____

Other Comments: Home on Market - Renovated
Extensively



George Pierce
Chairman



City of Vestavia Hills, AL

11/01/2022

ANX-22-3

Engineering/Public Works Review

Annexation Application

Status: Complete**Became Active:** 10/11/2022**Assignee:** Christopher Brady**Completed:** 10/31/2022

Applicant

Jason Kessler
jdkessler84@gmail.com
3505 Bent River Road
Birmingham, AL 35216
205-985-7171

Primary Location

2401 ROCKY RIDGE RD
VESTAVIA HILLS, AL 35243

Comments

Christopher Brady, Oct 31, 2022 at 2:56pm

no significant concerns noted; Rocky Ridge Road is a Jefferson County Through Road; new construction has a few bare spots remaining in newly sodded yard; will check with County regarding final inspections and permit status.



City of Vestavia Hills, AL

11/01/2022

ANX-22-3

Board of Education Review

Annexation Application

Status: Complete

Became Active: 10/11/2022

Assignee: Scott Brown

Completed: 11/01/2022

Applicant

Jason Kessler
jdkessler84@gmail.com
3505 Bent River Road
Birmingham, AL 35216
205-985-7171

Primary Location

2401 ROCKY RIDGE RD
VESTAVIA HILLS, AL 35243

Comments

Scott Brown, Nov 1, 2022 at 1:25pm

No objection



11/01/2022

ANX-22-3**Annexation Application****Status:** Active**Date Created:** Oct 10, 2022**Applicant**Jason Kessler
jdkessler84@gmail.com
3505 Bent River Road
Birmingham, AL 35216
205-985-7171**Primary Location**2401 ROCKY RIDGE RD
VESTAVIA HILLS, AL 35243**Owner Information****Owner's Name**

Charles Kessler Jr.

Owner Mailing Address Inc. City, State, Zip

3002 South Cove Drive, Vestavia Hills AL 35216

Property Information**Address of Property to be annexed?**

2401 Rocky Ridge Road

Legal Description of Property to be Annexed

Lot 9, Buckhead, 1st Secto

County Location of Property:

Jefferson County

Tax Parcel ID Number (if known)

40-00-05-2-007-007.000

County Zoning Classification

JC E-2

Is this annexation for redevelopment?

No

Compatible City Zoning Classification

VH R-1

Desired Zoning Classification

--

Is this a single-family residence with no additional development?

Yes

Annexation Request Information**Please Explain your reason for requesting annexation?**

Property has been renovated and owner is desirous of selling in City limits

Are you located in the Rocky Ridge Fire District?

Yes

Information on Children

Name of Child

na

Age of Child

--

School Grade of Child

--

Plan to Enroll in Vestavia Hills School within 2 years?

--

Name of Child

--

Age of Child

--

School Grade of Child

--




Plan to Enroll in Vestavia Hills Schools within 2 years?

--

Addition children information

--

Attachments

-  owners affidavit.pdf
Uploaded by Rebecca Leavings on Oct 10, 2022 at 9:09 am
-  map.pdf
Uploaded by Rebecca Leavings on Oct 10, 2022 at 9:09 am
-  2401 Rocky Ridge Road.pdf
Uploaded by Rebecca Leavings on Oct 10, 2022 at 9:11 am

History

Date	Activity
Oct 10, 2022 at 9:03 am	Rebecca Leavings started a draft of Record ANX-22-3
Oct 10, 2022 at 9:11 am	Rebecca Leavings added attachment 2401 Rocky Ridge Road.pdf to Record ANX-22-3
Oct 10, 2022 at 9:11 am	Rebecca Leavings submitted Record ANX-22-3
Oct 10, 2022 at 9:11 am	approval step City Clerk Receiptwas assigned to Rebecca Leavings on Record ANX-22-3
Oct 10, 2022 at 9:12 am	completed payment step Custom Payment on Record ANX-22-3
Oct 10, 2022 at 9:12 am	Rebecca Leavings added a guest: ckessler1@bellsouth.net to Record ANX-22-3
Oct 11, 2022 at 2:07 pm	Rebecca Leavings changed the deadline to Nov 01, 2022 on approval step Engineering/Public Works Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	Rebecca Leavings changed the deadline to Nov 01, 2022 on approval step Fire Department Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	Rebecca Leavings changed the deadline to Nov 01, 2022 on approval step Police Department Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	Rebecca Leavings changed the deadline to Nov 01, 2022 on approval step Board of Education Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	Rebecca Leavings changed the deadline to Nov 01, 2022 on approval step Public Services Director Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	Rebecca Leavings approved approval step City Clerk Receipt on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	approval step Engineering/Public Works Reviewwas assigned to Lori Beth Kearley on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	changed the deadline to Nov 01, 2022 on approval step Engineering/Public Works Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	approval step Fire Department Reviewwas assigned to Ryan Farrell on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	changed the deadline to Nov 01, 2022 on approval step Fire Department Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	changed the deadline to Nov 01, 2022 on approval step Police Department Review on Record ANX-22-3
Oct 11, 2022 at 2:08 pm	changed the deadline to Nov 01, 2022 on approval step Board of Education Review on Record ANX-22-3



City of Vestavia Hills Office of the City Clerk

OWNER AFFIDAVIT (This form must be notarized):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority that we are the owners of said property requesting annexation:

SIGNATURES:

2401 Rocky Ridge Rd Lot 9 Blk. 31 Survey Buckhead 1st Sec
Chas G Kessler Lot _____ Blk _____ Survey _____
 _____ Lot _____ Blk _____ Survey _____
 _____ Lot _____ Blk _____ Survey _____
 _____ Lot _____ Blk _____ Survey _____
 _____ Lot _____ Blk _____ Survey _____

page 93

STATE OF ALABAMA

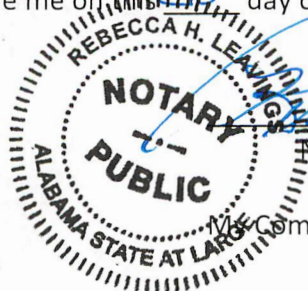
Jefferson COUNTY

Chas G Kessler being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of the owners of the property to be annexed by this petition.

Chas G Kessler

 Signature of Certifier

Subscribed and sworn before me on this 28th day of _____, _____.



Rebecca H. Levington

 Notary Public

Commission Expires: 7/05/2023

ORDINANCE NUMBER 3142

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Charles Kessler dated October 5, 2022, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2401 Rocky Ridge Road
Lot 9, Buckhead, 1st Sector
Charles Kessler

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3142 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 19th day of December, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

2401 Rocky Ridge Road



RESOLUTION NUMBER 5431

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated October 3, 2022, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 19th day of December, 2022; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 21st day of December 2022.

2. That on the 27th day of March, 2023, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5431 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2565 Rocky Ridge Road
Grace Covenant Baptist Church, Owner(s)

More particularly described as follows:

Two tracts of property in the Northwest Quarter of Section 32, Township 18 South, Range 2 West, Jefferson County, Alabama, more particularly described as follows:

Parcel I: Begin at a point 354 feet North of the Southeast corner of the NE 1/4 of NW 1/4 of Section 32, Township 18 South, Range 2 West; thence North 234 feet; thence with an angle of 79 degrees 52 minutes to the left 335 feet to the center line of public road (now known as Rocky Ridge Road); thence with an angle of 72 degrees 45 minutes to the left and along and including to the center line of said road 239 feet; thence with an angle of 107 degrees 15 minutes to the left 465 feet to point of beginning. Less and except that part of subject property included in deed to Mary Eugenia DeGroat, as recorded in Real Volume 1091, Page 152 in the Office of the Judge of Probate of Jefferson County, Alabama.

Parcel 2: Commence at the Southeast corner of said 1/4 Section and thence run North 02 degrees 18 minutes 14 seconds West along the East line of said 1/4 Section for 1,627.48 feet to the point of beginning of the tract of land herein described; thence run North 02 degrees 17 minutes 42 seconds West for 20.32 feet; thence run North 82 degrees 02 minutes 09 seconds West for 407.92 feet to a point on the Easterly right-of-way line of Rocky Ridge Road; thence run South 25 degrees 12 minutes 08 seconds West along said road right-of-way for 20.94 feet; thence run South 82 degrees 02 minutes 09 seconds East for 417.75 feet to the point of beginning.

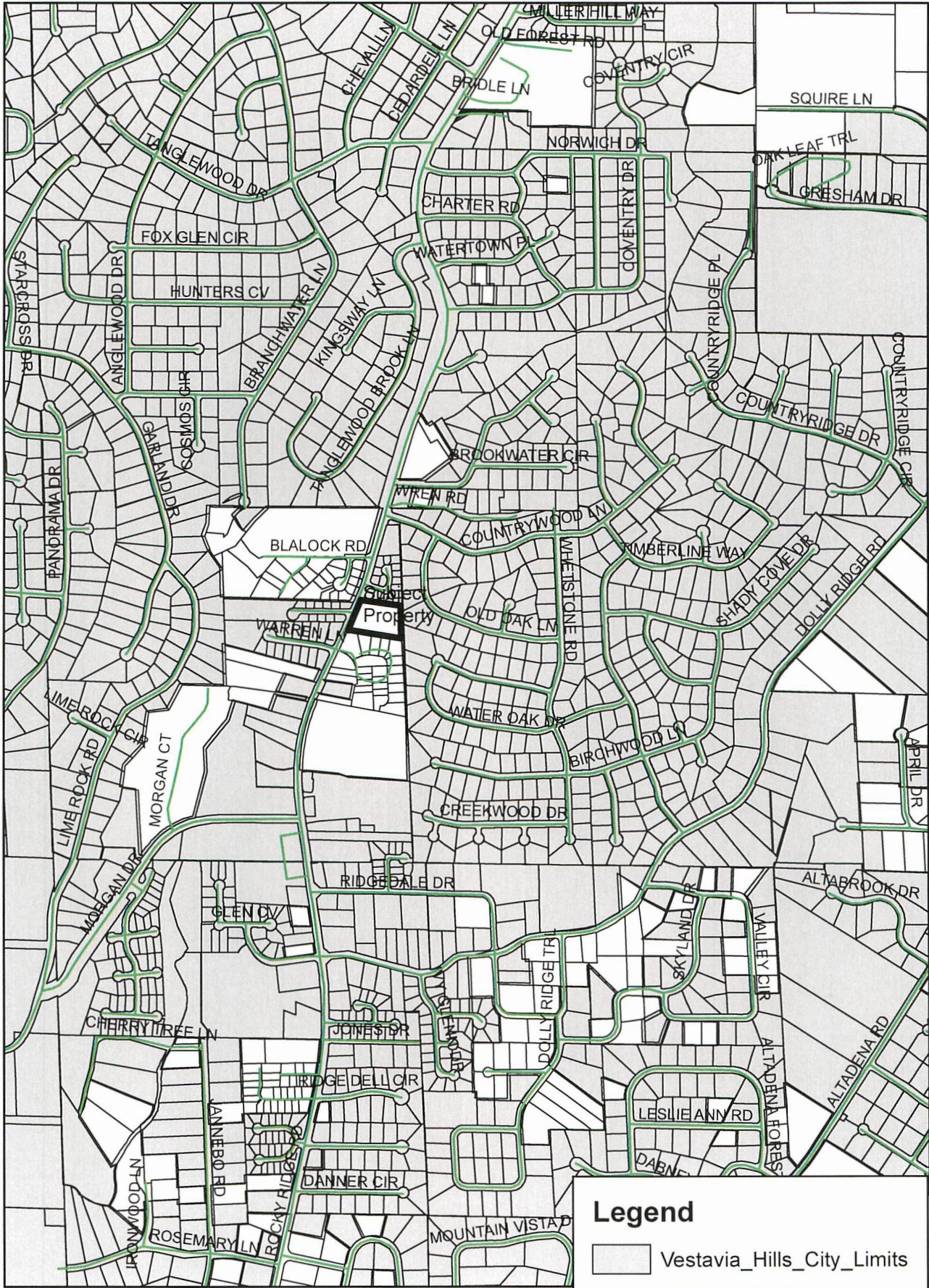
APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

2565 Rocky Ridge Road



PARCEL #: 28 00 32 2 001 004.000
OWNER: GRACE COVENANT BAPTIST CHURCH
ADDRESS: 2565 ROCKY RIDGE RD VESTAVIA AL 35243-4442
LOCATION: 2565 ROCKY RIDGE RD BHAM AL 35243

2565 Rocky Ridge Road
[720-D+] Baths: **1.0** H/C Sqft: **6,213**
50-028.0 Bed Rooms: **0** Land Sch: **\$153**
 Land: **\$326,400** Imp: **\$380,700** Total: **\$707,100**
 Acres: **0.000** Sales Info: **02/26/2020 \$671,500**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2022 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 2 OVER 65 CODE:
 EXEMPT CODE: STC2 DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$707,100.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$0
 LAND VALUE 20% \$326,400
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2
 PAVING ASPHALT 34PASP1 \$35,600
 BLDG 001 720 \$345,100

CLASS 3

 TOTAL MARKET VALUE [APPR. VALUE: \$707,100]: \$707,100
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$141,420	\$919.23	\$141,420	\$919.23	\$0.00
COUNTY	2	1	\$141,420	\$1,909.17	\$141,420	\$1,909.17	\$0.00
SCHOOL	2	1	\$141,420	\$1,159.64	\$141,420	\$1,159.64	\$0.00
DIST SCHOOL	2	1	\$141,420	\$0.00	\$141,420	\$0.00	\$0.00
CITY	2	1	\$141,420	\$0.00	\$141,420	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	1	\$141,420	\$721.24	\$141,420	\$721.24	\$0.00
SPC SCHOOL2	2	1	\$141,420	\$2,375.86	\$141,420	\$2,375.86	\$0.00
ASSD. VALUE: \$141,420.00				\$7,085.14		GRAND TOTAL: \$0.00	

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
2020027706	2/26/2020
2568-734	09/05/1984
1091-899	07/26/1974

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2022		\$0.00
	2021		\$0.00
	2020		\$0.00
	2019		\$0.00
	2018		\$0.00
	2017		\$0.00
	2016		\$0.00
	2015		\$0.00
	2014		\$0.00
	2013		\$0.00

Annexation Committee Petition Review

Property: 2565 Rocky Ridge Road

Owners: Grace Covenant Church

Date: 12/2/2023

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of N/A. Meets city criteria: Yes No
Comment: Church
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes N/A Number in city _____
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2565 Rocky Ridge Road


8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, ~~voluntary~~ contributions, including an application fee, of
\$ will be paid to offset costs associated with the annexation.
Yes No Comment

9. Property is free and clear of hazardous waste, debris and materials.
Yes No Comment

10. Are there any concerns from city departments?
Yes No Comments:

11. Information on children: Number in family N/A; Plan to enroll in VH
schools Yes No Comments:

Other Comments:



George Pierce
Chairman



City of Vestavia Hills, AL

11/01/2022

ANX-22-4

Engineering/Public Works Review

Annexation Application

Status: Complete

Became Active: 10/11/2022

Assignee: Christopher Brady

Completed: 10/31/2022

Applicant

Richard Hughes
rohughes@charter.net
2565 Rocky Ridge Road
Vestavia Hills , AL 35243
205-586-0730

Primary Location

2565 ROCKY RIDGE RD
VESTAVIA HILLS, AL 35243

Comments

Christopher Brady, Oct 31, 2022 at 2:57pm

no concerns noted; Rocky Ridge Road is a Jefferson County Through Road.



City of Vestavia Hills, AL

11/01/2022

ANX-22-4

Board of Education Review

Annexation Application

Status: Complete

Became Active: 10/11/2022

Assignee: Scott Brown

Completed: 11/01/2022

Applicant

Richard Hughes
rohughes@charter.net
2565 Rocky Ridge Road
Vestavia Hills , AL 35243
205-586-0730

Primary Location

2565 ROCKY RIDGE RD
VESTAVIA HILLS, AL 35243

Comments

Scott Brown, Nov 1, 2022 at 1:22pm

No objection

STATE OF ALABAMA

JEFFERSON COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: October 3, 2022

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Richard Hughes, Trustee
Grace Covenant Baptist Church
(205)-586-0730 cell
rohughes@charter.net

EXHIBIT "A"

LOT: _____

BLOCK: _____

SURVEY: _____

RECORDED IN MAP BOOK _____, PAGE _____ IN THE

PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: INSTITUTIONAL

COMPATIBLE CITY ZONING: INSTITUTIONAL

LEGAL DESCRIPTION (METES AND BOUNDS):

Two tracts of property in the Northwest Quarter of Section 32, Township 18 South, Range 2 West. Jefferson County, Alabama, more particularly described as follows:

Parcel 1:

Begin at a point 354 feet North of the Southeast corner of the Northeast ¼ of Northwest ¼ of Section 32, Township 18 South, Range 2 West; thence North 234 feet; thence with an angle of 79 degrees 52 minutes to the left 335 feet to the center line of public road (now known as Rocky Ridge Road); thence with an angle of 72 degrees 45 minutes to the left and along and including to the center line of said road 239 feet; thence with an angle of 107 degrees 15 minutes to the left 465 feet to point of beginning.

Less and except that part of subject property included in deed to Mary Eugenia DeGroat, as recorded in Real Volume 1091, Page 152 in the Office of the Judge of Probate of Jefferson County, Alabama.

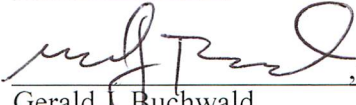
Parcel 2:

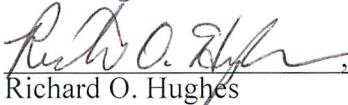
Commence at the Southeast corner of said ¼ Section and thence run North 02 degrees 18 minutes 14 seconds West along the East line of said ¼ Section for 1,627.48 feet to the point of beginning of the tract of land herein described; thence run North 02 degrees 17 minutes 42 seconds West for 20.32 feet; thence run North 82 degrees 02 minutes 09 seconds West for 407.92 feet to a point on the Easterly right-of-way line of Rocky Ridge Road; thence run South 25 degrees 12 minutes 08 seconds West along said road right-of-way for 20.94 feet; thence run South 82 degrees 02 minutes 09 seconds East for 417.75 feet to the point of beginning.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

 , Trustee Lot _____ Block _____ Survey _____
Gerald J. Buchwald

 , Trustee Lot _____ Block _____ Survey _____
Richard O. Hughes

 , Trustee Lot _____ Block _____ Survey _____
David McCrary

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

JEFFERSON COUNTY

Richard O. Hughes being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.



Signature of Certifier

Subscribed and sworn before me this the 3rd day of October, 2022



Notary Public

My commission expires: 7/03/2023



EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Grace Covenant Baptist Church

Address: 2565 Rocky Ridge Road

City: Birmingham State: Alabama Zip: 35243

Information on Children: Not Applicable

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 3143

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Grace Covenant Baptist Church dated October 3, 2022, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2565 Rocky Ridge Road
Grace Covenant Baptist Church

More particularly described as follows:

Two tracts of property in the Northwest Quarter of Section 32, Township 18 South, Range 2 West, Jefferson County, Alabama, more particularly described as follows:

Parcel I: Begin at a point 354 feet North of the Southeast corner of the NE 1/4 of NW 1/4 of Section 32, Township 18 South, Range 2 West; thence North 234 feet; thence with an angle of 79 degrees 52 minutes to the left 335 feet to the center line of public road (now known as Rocky Ridge Road); thence with an angle of 72 degrees 45 minutes to the left and along and including to the center line of said road 239 feet; thence with an angle of 107 degrees 15 minutes to the left 465 feet to point of beginning. Less and except that part of subject property included in deed to Mary Eugenia DeGroat, as recorded in Real Volume 1091, Page 152 in the Office of the Judge of Probate of Jefferson County, Alabama.

Parcel 2: Commence at the Southeast corner of said 1/4 Section and thence run North 02 degrees 18 minutes 14 seconds West along the East line of said 1/4 Section for 1,627.48 feet to the point of beginning of the tract of land herein described; thence run North 02 degrees 17 minutes 42 seconds West for 20.32 feet; thence run North 82 degrees 02 minutes 09 seconds West for 407.92 feet to a point on the Easterly right-of-way line of Rocky Ridge Road; thence run South 25 degrees 12 minutes 08 seconds West along said road right-of-way for 20.94 feet; thence run South 82 degrees 02 minutes 09 seconds East for 417.75 feet to the point of beginning.

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

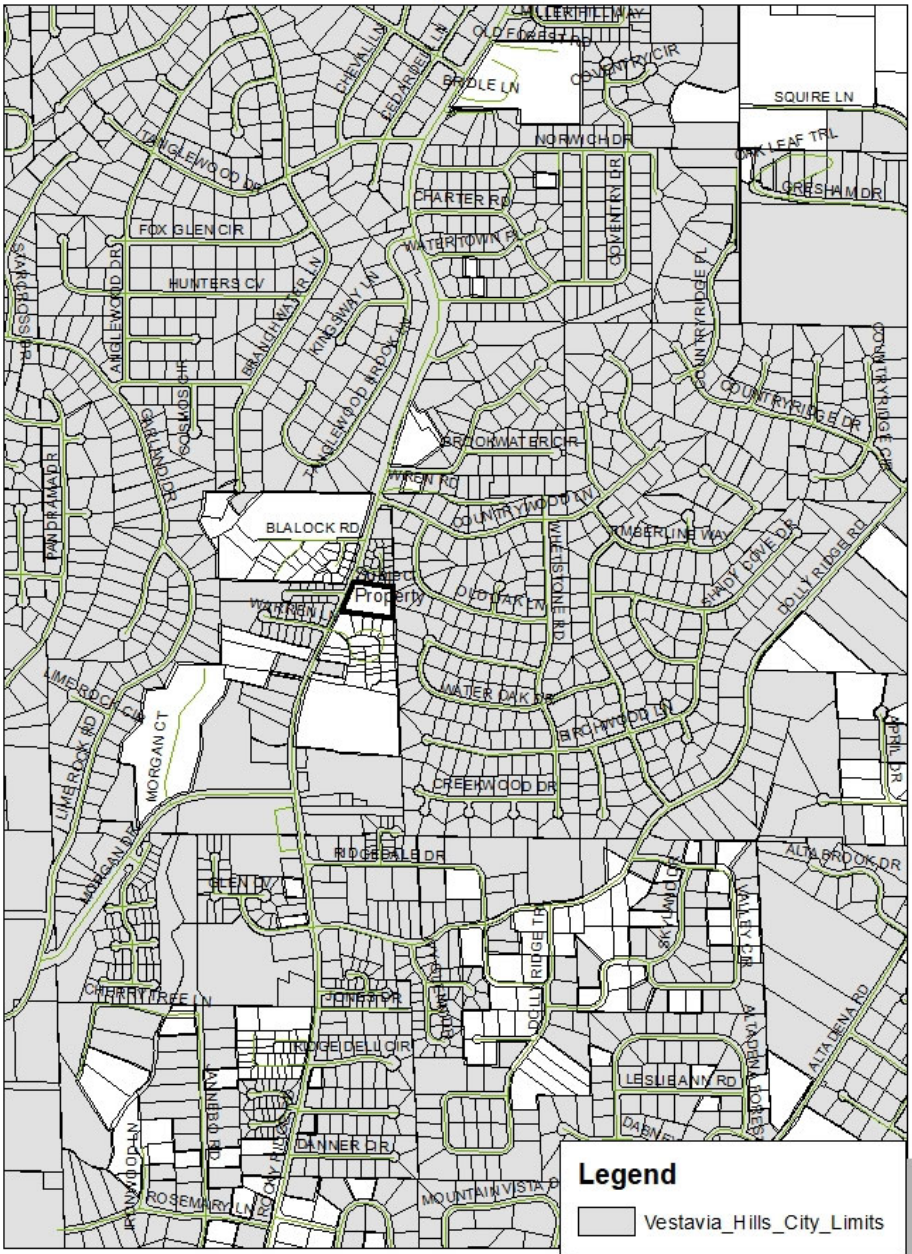
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3143 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 19th day of December, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

2565 Rocky Ridge Road



RESOLUTION NUMBER 5432

A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated September 23, 2022, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 19th day of December, 2022; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 21st day of December, 2022.

2. That on the 27th day of March, 2023, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5432 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

1420 Branchwater Circle
Leon R. Gorman, Jr, Owner(s)

More particularly described as follows:

Begin at the northwest corner of the NE 1/4 of the NW 1/4 of Section 32, Township 18 South, Range 2 West, Jefferson County, Alabama. and run in an easterly direction along the north line of said 1/4-1/4 section a distance of 187.58 feet to a point; thence turn an interior angle of 68° 17' 43" and run to the right in a southwesterly direction a distance of 4.70 feet to a point; thence turn an interior angle of 113° 54' 04" and run to the right in a northwesterly direction a distance of 14.29 feet to a point; thence turn an interior angle of 199° 45' 45" and run to the left in a southwesterly direction a distance of 20.00 feet to a point; thence turn an interior angle of 209° 05' 43" and run to the left in a southwesterly direction a distance of 17.00 feet to a point; thence turn an interior angle of 176° 38' 01" and run to the right in a southwesterly direction a distance of 57.00 feet to a point; thence turn an interior angle of 193° 13' 07" and run to the left in a southwesterly direction a distance of 26.89 feet to a point; thence turn an interior angle of 188° 51' 00" and run to the left in a southwesterly direction a distance of 112.70 feet to a point; thence turn an interior angle of 149° 37' 52" and run to the right in a southwesterly direction a distance of 37.21 feet to a point; thence turn an interior angle of 51° 48' 10" and run to the right in a northerly direction a distance of 22.39 feet to a point; thence turn an interior angle of 260° 42' 13" and run to the left in a northwesterly direction a distance of 136.28 feet to a point on the southeasterly line of Lot 20, Block 3, according to the survey of Vesthaven 6th Sector, 3rd Addition, as recorded in map book 80 page 55 in the Probate Office of Jefferson County, Alabama; thence turn an interior angle of 76° 03' 36" and run to the right in a northeasterly direction and along the southeasterly line of said lot 20 a distance of 61.68 feet to a point; thence turn on interior angle of 199° 45' 00" and run to the left in a northerly direction and along the east line of said subdivision a distance of 121.94 feet to a point on the north line of said Section 32; thence turn an interior angle of 92° 17' 45" and run to the right in an easterly direction along the north line of said Section 32 a distance of 84.22 feet to the point of beginning.

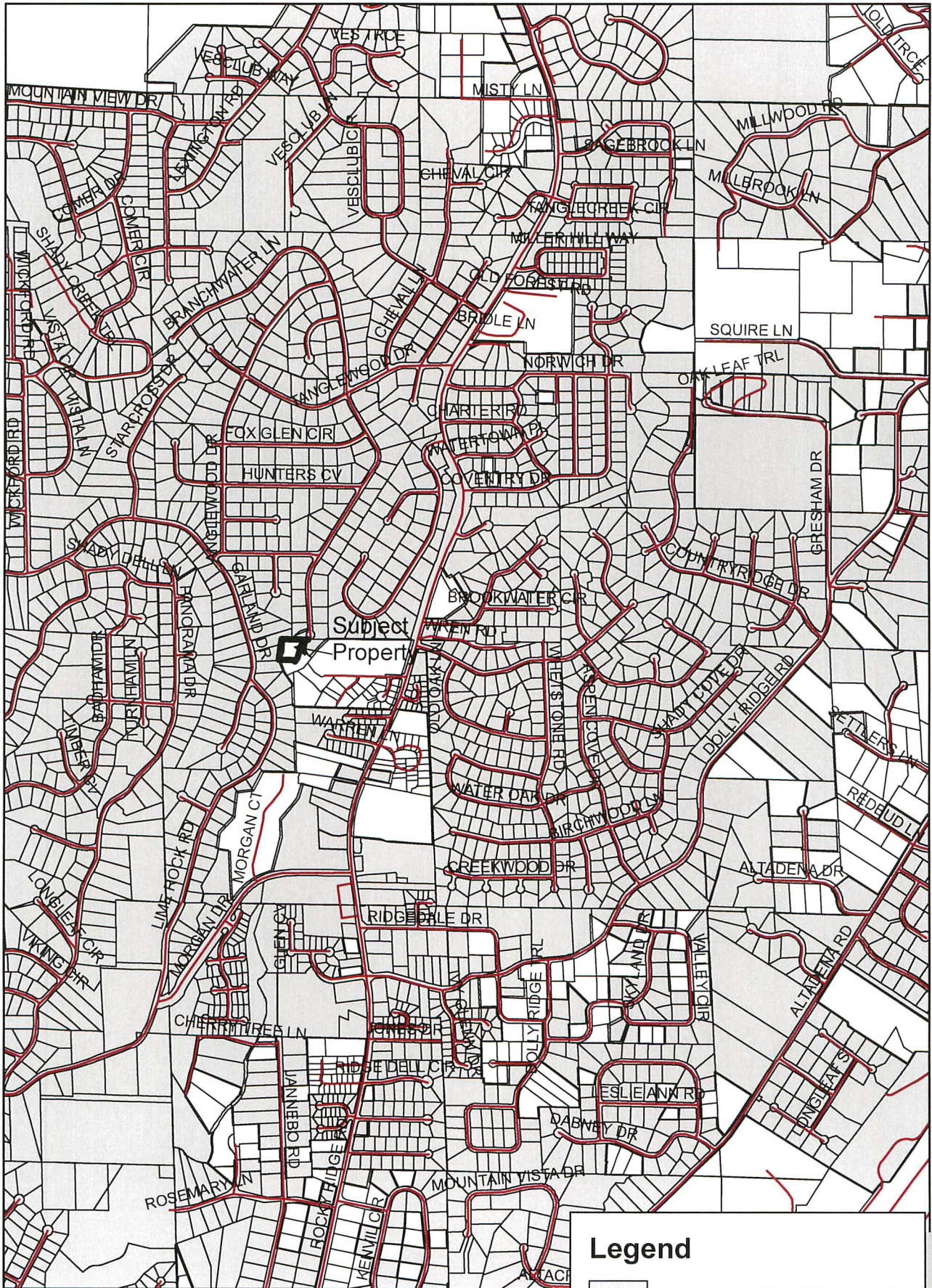
APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

1420 Branchwater Circle



Legend

□ Vestavia_Hills_City_Limits

PARCEL #: 28 00 32 2 002 001.002 OWNER: GORMAN LEON R JR ADDRESS: 3169 BRADFORD PLACE BIRMINGHAM AL 35242 LOCATION: 1420 BRANCHWATER CIR BHAM AL 35216	1420 Branchwater Circle		
	[111-B0]	Baths: 2.5	H/C Sqft: 2,727
	18-015.0	Bed Rooms: 4	Land Sch: G1
	Land: 137,000	Imp: 288,500	Total: 425,500
	Acres: 0.000	Sales Info: 05/18/2015 \$0	

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2022 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE: X	LAND VALUE 10%	\$137,000
EXEMPT CODE: 6-6	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 01 COUNTY	HS YEAR: 0	CURRENT USE VALUE	[DEACTIVATED] \$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	CLASS 2	
OVR ASD VALUE: \$0.00	TOTAL MILLAGE: 50.1	CLASS 3	
CLASS USE:		BLDG 001	111 \$288,500
FOREST ACRES: 0	TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$425,500]: \$425,500	
PREV YEAR VALUE: \$410,000.00	BOE VALUE: 0	Assesment Override: _____	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO							
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$42,560	\$276.64	\$42,560	\$276.64	\$0.00
COUNTY	3	1	\$42,560	\$574.56	\$42,560	\$574.56	\$0.00
SCHOOL	3	1	\$42,560	\$348.99	\$42,560	\$348.99	\$0.00
DIST SCHOOL	3	1	\$42,560	\$0.00	\$42,560	\$0.00	\$0.00
CITY	3	1	\$42,560	\$0.00	\$42,560	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$42,560	\$217.06	\$42,560	\$217.06	\$0.00
SPC SCHOOL2	3	1	\$42,560	\$715.01	\$42,560	\$715.01	\$0.00
ASSD. VALUE: \$42,560.00			\$2,132.26		GRAND TOTAL: \$0.00		
FULLY PAID							

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
201513-783	5/18/2015		2022		\$0.00
3364-587	04/17/1988		2021		\$0.00
			2020		\$0.00
			2019		\$0.00
			2018		\$0.00
		10/18/2017	2017	LEON R GORMAN JR	\$1,380.41
			2016		\$0.00
			2015		\$0.00
			2014		\$0.00
			2013		\$0.00

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit - Resolution 5432
1420 Branchwater Circle

AD VALOREM TAX MILLAGE

Millage Multiplier		
0.02055	Ad valorem to City General Fund:	20.55 mills
0.02875	City BOE portion:	28.75 mills
0.0151	District 20 School:	15.1 mills
0.0082	Countywide School:	8.2 mills
0.05205	Ad valorem to Schools (TOTAL):	52.05 mills

ASSESSED VALUE

			Citizen Access Portal Descriptor	Notes
====>	1420 Branchwater Circle	Property Address		
====>	\$ 425,500	Appraised Value of Property	TOTAL MARKET VALUE	
	10%	Assessment Homestead Rate		
	\$42,550.00	Assessed Value	ASSD. VALUE	

AD VALOREM REVENUE

			Citizen Access Portal Descriptor	Notes
\$874.40	City portion of ad valorem		(Subset of CITY)	(20.55 mills rate)
\$1,223.31	BOE portion of ad valorem		(Subset of CITY)	(28.75 mills rate)
\$2,097.72	Total County remits to City for split with BOE		CITY	
\$642.51	SPC DIST1 BOE local rev (County gives directly to BOE)		SPC SCHOOL1	(15.1 mills rate)
\$348.91	Countywide School Tax to VH		SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$874.40	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$2,214.73	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$3,089.13	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

Annexation Committee Petition Review

Property: 1420 Branchwater Circle

Owners: Kent Gorman

Date: 12/02/2022

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$425,500. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes n/a Number in city all but 2
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 1420 Branchwater Circle


8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes No Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No Comment _____

10. Are there any concerns from city departments?
Yes No Comments: _____

11. Information on children: Number in family N/A; Plan to enroll in VH
schools Yes No Comments: _____
Property on market

Other Comments: _____



George Pierce
Chairman



City of Vestavia Hills, AL

11/01/2022

ANX-22-5

Engineering/Public Works Review

Annexation Application

Status: Complete

Became Active: 10/11/2022

Assignee: Christopher Brady

Completed: 10/31/2022

Applicant

Kent Gorman
kentgorman10@gmail.com
1420 Branchwater Circle
Vestavia Hills, AL 35216
205-531-1291

Primary Location

1420 BRANCHWATER CIR
VESTAVIA HILLS, AL 35216

Comments

Christopher Brady, Oct 31, 2022 at 2:58pm

no concerns noted; the City currently maintains this section of roadway (cul de sac); roadway and valley gutter in good condition.



City of Vestavia Hills, AL

11/01/2022

ANX-22-5

Board of Education Review

Annexation Application

Status: Complete

Became Active: 10/11/2022

Assignee: Scott Brown

Completed: 11/01/2022

Applicant

Kent Gorman
kentgorman10@gmail.com
1420 Branchwater Circle
Vestavia Hills, AL 35216
205-531-1291

Primary Location

1420 BRANCHWATER CIR
VESTAVIA HILLS, AL 35216

Comments

Scott Brown, Nov 1, 2022 at 1:16pm

No Objection

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 9/23/22

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

contacts: Kent Gorman
205-531-1291
kentgorman1@gmail.com

Mike Wald
205-541-0940
mike.wald@realtysouth.com

EXHIBIT "A"

LOT: _____

BLOCK: _____

SURVEY: _____

RECORDED IN MAP BOOK 3364, PAGE 587 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: E2

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

attached long legal



City of Vestavia Hills Office of the City Clerk

OWNER AFFIDAVIT (This form must be notarized):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority that we are the owners of said property requesting annexation:

SIGNATURES:

Stephen Kent Gorman Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

STATE OF ALABAMA

Jefferson COUNTY

Teronda McCammon being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of the owners of the property to be annexed by this petition.

Stephen Kent Gorman
Signature of Certifier

Subscribed and sworn before me on this 22nd day of September, 23.

Teronda McCammon
Notary Public

My Commission Expires: August 4, 2024

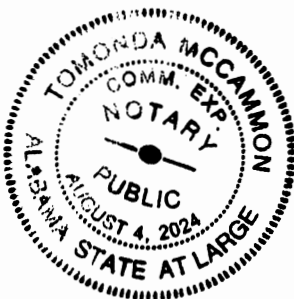


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Leon R Gorman, Jr

Address: 1420 Branchwater Circle

City: Unincorporated Jefferson Co State: AL Zip: 35216

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	no children				
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

3364 PAGE 587

SEND TAX NOTICE TO ^{40,000}
Teddy Gorman
3401 Westchase Drive
Birmingham, Alabama 35205

- This instrument prepared by
Frank Dominick
2121 Highland Ave., So.
Birmingham, Alabama 35205

41745

WARRANTY DEED

STATE OF ALABAMA)
KNOW ALL MEN BY THESE PRESENTS:
JEFFERSON COUNTY)

That in consideration of \$100.00 and other good and valuable consideration, to the undersigned grantors, in hand paid by the grantee herein, the receipt whereof is acknowledged, we Robert L. Gorman, III and wife, Betty Jo Gorman (grantors) do grant, bargain, sell and convey unto TEDDY GORMAN (grantee) the following described real estate, situated in Jefferson County, Alabama, to-wit:

Begin at the northwest corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 18 South, Range 2 West, Jefferson County, Alabama, and run in an easterly direction along the north line of said $\frac{1}{4}$ / $\frac{1}{4}$ section a distance of 187.58 feet to a point; thence turn an interior angle of 68° 17' 43" and run to the right in a southwesterly direction a distance of 4.70 feet to a point; thence turn an interior angle of 113° 54' 04" and run to the right in a northwesterly direction a distance of 14.29 feet to a point; thence turn an interior angle of 199° 45' 45" and run to the left in a southwesterly direction a distance of 20.00 feet to a point; thence turn an interior angle of 209° 05' 43" and run to the left in a southwesterly direction a distance of 17.00 feet to a point; thence turn an interior angle of 176° 38' 01" and run to the right in a southwesterly direction a distance of 57.00 feet to a point; thence turn an interior angle of 193° 13' 07" and run to the left in a southwesterly direction a distance of 26.89 feet to a point; thence turn an interior angle of 188° 51' 00" and run to the left in a southwesterly direction a distance of 112.70 feet to a point; thence turn an interior angle of 149° 37' 52" and run to the right in a southwesterly direction a distance of 37.21 feet to a point; thence turn an interior angle of 51° 48' 10" and run to the right in a northerly direction a distance of 22.39 feet to a point; thence turn an interior angle of 260° 42' 13" and run to the left in a northwesterly direction a distance of 136.28 feet to a point on the southeasterly line of Lot 20, Block 3, according to the survey of Vesthaven 6th Sector, 3rd Addition, as recorded in map book 80 page 55 in the Probate Office of Jefferson County, Alabama; thence turn an interior angle of 76° 03' 36" and run to the right in a northeasterly direction and along the southeasterly line of said lot 20 a distance of 61.68 feet to a point; thence turn an interior angle of 199° 45' 00" and run to the left in a northerly direction and along the east line of said subdivision a distance of 121.94 feet to a point on the north line of said Section 32; thence turn an interior angle of 92° 17' 45" and run to the right in an easterly direction along the north line of said Section 32 a distance of 84.22 feet to the point of beginning.

There is reserved an easement for ingress and egress for the grantors, their heirs, successors and assigns, as follows: COMMENCE at the northwest corner of the NE $\frac{1}{4}$ of

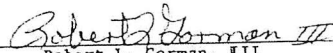
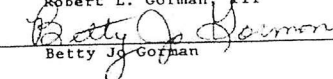
the NW $\frac{1}{4}$ of said Section 32, and run in an easterly direction along the north line of said Section a distance of 147.75 feet to the point of beginning of the herein described easement; thence continue along last described course in an easterly direction and along the north line of said Section 32 a distance of 39.83 feet to a point; thence turn an interior angle of 68° 17' 43" and run to the right in a southerly direction a distance of 4.70 feet to a point; thence turn an interior angle of 113° 54' 04" and run to the right in a northwesterly direction a distance of 14.29 feet to a point; thence turn an interior angle of 199° 45' 45" and run to the left in a southwesterly direction a distance of 20.00 feet to a point; thence turn an interior angle of 209° 05' 43" and run to the left in a southwesterly direction a distance of 17.00 feet to a point; thence turn an interior angle of 176° 38' 01" and run to the right in a southwesterly direction a distance of 57.00 feet to a point; thence turn an interior angle of 193° 13' 07" and run to the left in a southwesterly direction a distance of 26.89 feet to a point; thence turn an interior angle of 20° 58' 17" and run to the right in a northeasterly direction a distance of 26.54 feet to a point; thence turn an interior angle of 159° 49' 16" and run to the right in a northeasterly direction a distance of 47.00 feet to a point; thence turn an interior angle of 160° 42' 59" and run to the right in a northeasterly direction a distance of 15.45 feet to a point; thence turn an interior angle of 171° 44' 53" and run to the right in a northeasterly direction a distance of 23.48 feet to the point of beginning of the herein described easement.

SUBJECT to right of way to Alabama Power Company recorded in Vol. 6306 page 39 and vol. 6306 page 61 in said Probate Office; title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Vol. 620 page 255 and Vol 4415 page 485 in said Probate Office.

TO HAVE AND TO HOLD to the said grantee, her heirs and assigns forever.

And we do for ourselves and for our heirs, executors and administrators, covenant with the said Grantee, her heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as noted above and except current ad valorem taxes which grantee assumes; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 7th day of April, 1988.


Robert L. Gorman, III

Betty J. Gorman

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ROBERT L. GORMAN, III and wife, BETTY JO GORMAN, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 17th day of April, 1988

John Thomas
Notary Public

T11/29

UNOFFICIAL DOCUMENT

40.00
8.50
48.50
1988 APR 11 AM 8:53
40.00 ✓
0.00

DURABLE POWER OF ATTORNEY

ARTICLE I
STATEMENT OF INTENT TO CREATE
DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That I, LEON R. GORMAN, JR., also known as LEON ROSCOE GORMAN, JR., have made, constituted and appointed, and by these presents do make, constitute and appoint my son, STEPHEN KENT GORMAN, as my true and lawful agent and attorney in fact (hereinafter sometimes referred to as my "agent"), for me from time to time and in my name, place and stead to do any and all acts which I could do if personally present, hereby intending to give to my said agent the fullest and broadest powers to act for me.

If STEPHEN KENT GORMAN should fail or cease to serve as my agent, I constitute and appoint my son, LEON RANDOLPH GORMAN, as successor agent. My successor agent shall have the same rights, powers, duties, responsibilities and exceptions as are herein conferred upon my original agent.

ARTICLE II
GRANT OF AUTHORITY

(a) In accordance with the terms of the Alabama Uniform Power of Attorney Act, Ala. Code 1975, § 26-1A-204 through 217, I hereby grant my agent(s) and any successor agent(s) specific authority to act for me with respect to all of the subjects enumerated in the herein referenced sections. It is not my intention by setting out the specific powers and authorizations below to limit or cut down the broad powers given herein but to clarify and support such gifts of power by expressly giving and granting unto my said agent full power:

(1) To make, draw, sign, accept, endorse for any purpose, deposit, withdraw, discount, deliver notes, checks, drafts and other instruments for the payment of money, including specifically to my agent's own credit or account; to examine, receive and sign receipts for canceled checks, vouchers, statements of account or of any property in which I may have an interest, and to acknowledge the correctness of any statement of any account; whether owing to or by me or relating to any property held for me;

(2) To ask, demand, sue for, recover, receive, collect and give receipts, releases and discharges for, all sums of money, debts, dues, accounts, dividends on stocks, interest on bonds or

mortgages, rents, bequests, legacies, trust monies, tax or other refunds, and other obligations or property which are or shall become due, owing and payable to me;

(3) To act in my stead with respect to retirement, pension, profit-sharing, self-employed, and other qualified and non-qualified plans, annuities, and individual retirement accounts, bonds, and annuities; and to receive proceeds therefrom, make rollover or voluntary contributions thereto, and elect options thereunder;

(4) To institute, prosecute, defend, compromise, settle, arbitrate or otherwise dispose of any and all actions or proceedings, either at law or in equity, including actions for the foreclosure or enforcement otherwise of any mortgage or lease, upon any real or personal property; and to execute and deliver any bonds, undertakings or recognizances that my said agent may approve in any such or other actions or proceedings, whether the same be given under statutory requirements or otherwise, including such bonds or undertakings as may be necessary or desirable for the purpose of perfecting a compromise of or an appeal from any judgment or decree in any such actions or proceedings; to appear generally or specially in any actions or proceedings which in any way may concern me or my property, or my right, title or interest therein; to compel accountings and filings of inventories; to employ and compensate attorneys to appear for and represent me in any action or proceeding instituted in my behalf or against me;

(5) To represent me in any and all proceedings now pending or hereafter arising between me and the Treasury Department of the United States Government or any other Governmental authorities relative to my income, gift, estate or other tax liability for all years, granting unto my said agent full power in my name and on my behalf to appear before proper officials of the Treasury Department or any other government officials, to adjust, settle, compromise or otherwise dispose of all questions relative to any of the said tax liabilities; to receive copies of my tax returns and any papers, letters or other communications concerning the said tax liabilities; to sign any waivers of the statute of limitations or any other waivers, to sign closing agreements for final determination of tax liability; to prepare, sign and file with any and all governmental authorities tax returns or other returns, protests, appeals and other documents, to execute and file refund claims or any other claims, and to receive, endorse and collect, checks in settlement of any refund, to execute and file petitions to the Tax Court of the United States and all other papers in connection with such proceedings, to substitute in the place and stead of said agents any other agent and to appoint associate agents;

(6) To obtain credit or borrow money in any currency, (including all manner of credits and letters of credit); to renew any loan or extension of credit;

(7) To sell or agree to sell at private or public sale, convey by warranty, quit claim or other kind of deed, grant, transfer, lease and rent for such periods as my agent may deem proper, though exceeding five years, exchange, pledge, hypothecate, mortgage, lend, possess, occupy, use, insure and make repairs upon any property, real or personal, or any interest in such property, which may now or in the future belong to me, upon such terms and conditions as my agent may deem best; to erect, tear down or make repairs upon any building;

(8) To buy, or agree to buy or to lease any property, real or personal, or any interest therein, and to execute and deliver a purchase money mortgage as part of the purchase price thereof;

(9) To buy, sell, exchange, pledge, hypothecate, mortgage, endorse for transfer or for any other purpose, register or cause to be registered in the name of any nominee, deliver, assign, transfer and execute all necessary documents of assignment and transfer, dispose of, provide for the safekeeping of, and otherwise deal with any stocks, bonds or other securities or any real or personal property whatsoever;

(10) To buy, sell, transfer or dispose of for present or future delivery American or foreign moneys, credits or exchange, on deposit or otherwise, and all manner of instruments representative thereof, by endorsement or otherwise; to open, maintain, deposit in, operate, withdraw from, close and reopen accounts of every manner and description in American or foreign currencies with any banks, bankers, or trust companies, national banks, savings banks, stock brokers, fiduciaries or other depositories or institutions, American or foreign, wheresoever situated;

(11) To invest and reinvest any funds that may now be in or later come into my said agent's hands with full discretion in my said agent to select the investments and reinvestments; and this discretion shall not be limited to those investments and reinvestments of the character authorized by the laws of any state for trust investments; to deposit any stocks, bonds or other securities with any broker and to authorize him to buy, sell, pledge, or exchange any stocks, bonds or other securities on a margin or otherwise; to loan any sum of money with or without interest;

(12) To undertake performance of any and all acts, whether or not otherwise specifically enumerated herein, including the sale of any property or the borrowing of any funds, which my agent considers necessary or appropriate in order to purchase United States Treasury Bonds redeemable at par in payment of federal estate taxes; provided, however, that nothing herein shall be construed as requiring my agent to acquire any such bonds;

(13) To consent to, join in or oppose any condemnation or other proceeding, or any action brought to acquire any of my real or personal property or any interest therein;

(14) To apply for and effect any and all kinds of insurance including, without limitation, life, auto, real property, personal property liability, fire, burglary, theft and war risk insurance; to pay any and all premiums thereon; to cancel and terminate any insurance and to receive payments in connection therewith;

(15) To execute and deliver agreements, instruments or documents of any kind and for any purpose deemed necessary or proper by my agent to carry out the acts herein authorized, including agreements for the extension of time for the payment of any sum of money due me;

(16) To have access to and to remove the contents of any and all safe deposit boxes which I now or hereafter may have with any bank, safe deposit company or other organization;

(17) To pay, renew, secure, settle or compromise any debt, claim or other liability due from me; to collect, renew, accept security for, settle, or compromise any debt, claim or other liability due to me;

(18) To attend and vote as my proxy or to authorize any other person or persons to attend and vote as my proxy at any meetings of stockholders or bondholders of any corporation or company, or on any occasion that voting by proxy is permitted; to take part in any stockholders', bondholders', or creditors' reorganization plan, and to give any consents and waivers in connection with such meetings or plan; to consent to or oppose any merger or consolidation of any corporation and company, or any sale or lease of its property or any part thereof; to deposit securities under protective agreements or with protective committees with or without discretion thereby being delegated; to pay all assessments, subscriptions and other sums of money as my agent may deem expedient for the protection of my interest as holder of any stocks, bonds, or other securities; to exercise any option contained in any stocks, bonds or other securities, for the conversion of the same into any right to subscribe for additional stocks, bonds or other securities, and to make any and all necessary payments therefor;

(19) To irrevocably disclaim, refuse or renounce any part or all of any gift, transfer, devise or bequest made to me; and to execute any and all instruments that are necessary to make a "qualified disclaimer" pursuant to Section 2518 of the Internal Revenue Code of 1986, as amended;

(20) To delegate any or all powers herein granted to a sub-agent or sub-agents, as provided in Ala. Code 1975, § 26-1A-201, and to revoke any such delegations; but notwithstanding any such delegation my agent shall retain full authority to act alone hereunder;

(21) To employ and compensate agents, accountants, appraisers, investment advisers, brokers, agents, attorneys at law, tax specialists, realtors, and other assistants and advisors, and to do so without liability for any neglect, omission, misconduct or default of any such agent or professional representative provided such person was selected and retained with reasonable care;

(22) To determine my place of residence from time to time, to pay my ordinary household expenses, to arrange for and pay the costs of medical, dental, nursing, hospital, convalescent and other health care and treatment, including admission to hospitals, nursing homes, rest homes or other care facilities or institutions; to consent to treatment, and to make application for insurance, pension or employee benefits related to such health care and treatment, including, but not limited to, benefits under Social Security, Medicare and Medicaid; to obtain on my behalf copies of medical reports, summaries or other related information concerning me made or taken before or after the date of this instrument, and to execute any written consents on my behalf for the disclosure of such reports, summaries, or related information as may be required under any applicable federal statute, statutes of any state of the United States, or ordinances, rules or requirements of any local government municipality, authority or agency;

(23) To use and apply so much of the income and principal of the assets comprising my estate as may be necessary or desirable, in the sole discretion of said agent, for the maintenance and support of any person dependent upon me, taking into consideration other income, resources, or financial assistance available to any of them from all other sources. Any provision herein to the contrary notwithstanding, the agent shall have no power or authority to use or apply the principal to discharge any legal obligation that the agent may have to support me or any person dependent upon me;

(24) To exercise any general or special power of appointment exercisable by me;

(25) To retain and operate any businesses owned by me (regardless of whether operated in the form of a corporation, general or limited partnership, limited liability company, sole proprietorship, or otherwise), hereinafter referred to as "Businesses," regardless of lack of diversification, for such period as my agent, in his/her absolute discretion, shall determine appropriate. I consider interests owned by me in the Businesses as proper investments, and my agent is authorized to invest in or retain indefinitely all of any part of the Businesses even though such interests lack liquidity, may be considered, and in fact may be, more volatile or risky than alternative investments, may never yield a dividend or other income, and may constitute a very large percentage or all of my property. My agent shall not be accountable for any loss or depreciation in value sustained by reason of compliance with my wishes as expressed in this instrument.

[the remainder of this page intentionally left blank]

(b) I understand that the powers set out below will give my agent the authority to take actions that could significantly reduce my property or change how my property is distributed at my death. Notwithstanding paragraph (a) above, I hereby specifically authorize or do not authorize the following powers by placing my initials beside either "Yes" or "No" below each power listed:

(1) To create or change a beneficiary designation relating to any of my retirement benefits and to waive my right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan, as provided in Ala. Code 1975, § 26-1A-201.

Initial Agent: LG Yes _____ No Successor Agent: LG Yes _____ No

(2) To change the beneficiaries on any insurance policies on my life, as provided in Ala. Code 1975, § 26-1A-201; however, my agent shall have no power or authority whatsoever with respect to any policy of insurance owned by me on the life of my agent, or any trust created by my agent as to which I am a trustee.

Initial Agent: LG Yes _____ No Successor Agent: LG Yes _____ No

(3) To create or change rights of survivorship relating to ownership of real property and personal property, as provided in Ala. Code 1975, § 26-1A-201.

Initial Agent: LG Yes _____ No Successor Agent: LG Yes _____ No

(4) To make nontaxable gifts of any of my assets (a) to any descendant of me or of my deceased wife, Teddye T. Gorman, except for William Gibson Plott or a descendant of him; provided however, the power of my agent to make a nontaxable gift to himself shall be further limited to an amount less than or equal to the greatest amount which, pursuant to Sections 2041 and/or 2514 of the Internal Revenue Code of 1986, as amended, would not be deemed a taxable transfer of property should my said agent allow such power to lapse and/or (b) to a charity (provided, however, that I have made prior gifts to such charity and in no event shall any gift to such charity hereunder exceed in value the prior gifts). For purposes of this section, nontaxable gifts shall mean any gifts or transfers which are not "taxable gifts" as defined in Section 2503 of the Internal Revenue Code of 1986, as amended. Notwithstanding anything herein to the contrary, any power or authority granted to my agent herein shall be limited so as to prevent this Power of Attorney from causing my agent to be taxed on my income or from causing my assets to be subject to a "general power of appointment" by my agent as defined in Sections 2041 and 2514 of the Internal Revenue Code of 1986, as amended;

Initial Agent: _____ Yes LG No Successor Agent: _____ Yes LG No

(5) To transfer any or all of my assets to any trust, whether created before or after the execution of this Power of Attorney, provided that such trust is solely for my benefit, may be amended or revoked by me (and/or the holder of my Power of Attorney) at any time, and shall provide that at my death all assets then held in such trust shall be delivered to the personal representative of my estate;

Initial Agent: LG Yes _____ No Successor Agent: LG Yes _____ No

ARTICLE III
AUTHORIZATION TO RELEASE
INFORMATION TO AGENT

Any banks, bankers, trust companies, national banks, savings banks, safe deposit companies, stockbrokers, fiduciaries, depositaries or other institutions, persons, firms or corporations are authorized to release information to my agent in reliance hereon and shall be fully protected even though the said agent, substitute or associate may be dealing with himself or herself, as it is contemplated that such may be the case.

In accordance with Ala. Code 1975 § 26-1A-109(d), I hereby authorize the use or disclosure of any of my "Protected Health Information", as defined in the Health Insurance Portability and Accountability Act (HIPAA), including any and all confidential or private records, summaries and/or opinions related to my mental or physical capacity to make decisions regarding my health care and business affairs, to a physician, health care professional, hospital, clinic, medical facility, or other health care provider that has provided treatment or services to me or on my behalf and to my agent.

I understand that the information used or disclosed may be subject to re-disclosure by the person or class of persons receiving it, and would then no longer be protected by federal privacy regulations.

ARTICLE IV
NOMINATION OF AGENT AS
GUARDIAN AND CONSERVATOR

In the event court proceedings for a guardian, conservator, curator or other fiduciary for my person and/or property are commenced hereafter, I hereby nominate my agent appointed hereunder (including any successor) to serve as guardian, conservator, curator and/or other fiduciary for my person and/or property. This nomination should be viewed as my expression of nomination for such fiduciary and not as a mandate for such proceedings or as a limitation of any powers granted to my agent hereunder.

ARTICLE V
REVOCATION AND REMOVAL

I hereby expressly revoke any power of attorney heretofore given covering the authority and powers herein granted, without prejudice, however, to anything lawfully done or caused to be done under any power of attorney heretofore given, and I hereby ratify and confirm all previous acts of my agent with the same force as if such acts had been done after the execution and delivery of this Power of Attorney.

By execution of this Power of Attorney I do not intend to revoke any power I may have granted by execution of an appointment of Health Care Proxy pursuant to Ala. Code 1975 § 22-8A-4.

I may at any time revoke this Power of Attorney; but it shall be deemed to be in full force and effect as to all persons, institutions and organizations which shall act in reliance thereon prior to the receipt of written revocation thereof signed by me and prior to receipt of actual notice of my death.

ARTICLE VI
GOVERNING LAW

This Power of Attorney shall be governed by the laws of the State of Alabama.

ARTICLE VII
RELIANCE ON THIS POWER OF ATTORNEY

In accordance with Ala. Code 1975, § 26-1A-106, reproductions of this executed original (with reproduced signatures and the certificate of acknowledgment), whether photocopies or electronically transmitted copies, shall be deemed to be original counterparts of this Power of Attorney. Any person may rely upon the validity of this Power of Attorney and such copies unless that person knows the document has terminated or is invalid

ARTICLE VIII
DURABILITY PROVISION

This Power of Attorney expressly shall not be revoked by my disability, incompetency or incapacity.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on
3/13/15, 2015.

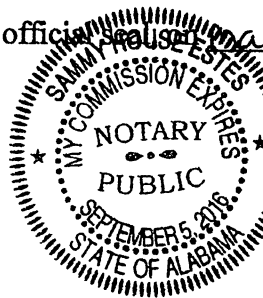
Leon R. Gorman, Jr.

LEON R. GORMAN, JR.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Sammy H. Estes, the undersigned authority, a Notary Public in and for said County and State, hereby certify that LEON R. GORMAN, JR., whose name is signed to the foregoing Power of Attorney, and who is known to me, personally appeared before me this day and acknowledged before me on this day that, being informed of the contents of the Power of Attorney, he executed the same voluntarily on the day the same bears date.

Witness my hand and official seal on March 13, 2015.



Sammy H. Estes
Notary Public
My Commission Expires 9-5-16

Pamela H. Amos
Unofficial Witness

Pamela H. Amos
(print name)

Heather Purser
Unofficial Witness

Heather Purser
(print name)

ORDINANCE NUMBER 3144

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Leon R. Gorman, Jr dated September 23, 2022, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

1420 Branchwater Circle
Leon R. Gorman, Jr

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 19th day of December, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3144 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 19th day of December, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

1420 Branchwater Circle

